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THE COUNTY OF ILLINOIS

BY
CLARENCE WALWORTH ALVORD
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INTRODUCTION.

On the banks of the Mississippi in southwestern Illinois, lies the American Bottom, the land most hallowed by romance and history of all the lands of the old Northwest. Taking no account of the prehistoric epoch whose monuments survive in the numerous Indian mounds of the region, we find its history running back over two centuries to the time when the first white settlers placed their villages by the side of the great river of the West in an attempt to realize the idea of a colonial empire as conceived by the Grand Monarch in his palace at Versailles. Here for almost a hundred years, while the dominion over the Northwest was passing from France to England and from England to the United States, these villages endured unchanged amidst the creeks and ponds of the bottom, which mirrored in their quiet waters the old world civilization transported into the heart of the wilderness from feudalized France.

The American Bottom[1] extended southward from opposite the mouth of the Missouri for about a hundred miles to the point where the Kaskaskia formerly emptied her waters into the Mississippi; but within recent times the lower part of this tract has been cut away by the greater river's breaking through to the bed of the smaller, thus conveying to the Missouri side a piece of this historic ground. Here is found some of the most fertile land in the United States. Like historic Egypt, it is the gift of a river and, like it, is submerged at intervals, although not periodically, by the fertilizing waters that gave it birth. In breadth the bottom land varies from three to seven miles, the average being about five. When the first settlers came, it pre-

[1] The name was given it when the Mississippi formed the western boundary of the United States. It was probably thus named by the Spaniards across the river. (Peck, *A Gazetteer of Illinois*, 2d ed., 5.) Another explanation of the name has been derived from the fact that the Americans spread their settlements over the bottom land more than the French. This latter explanation must have arisen after the United States acquired Louisiana and the name had lost its earlier significance

sented to the eye a view of almost tropical luxuriance, inviting the beholders to make their homes in a spot that offered more than the land of promise flowing with milk and honey. Along the bank of the Mississippi was a forest of about a mile in width, wherein grew various kinds of nut trees, hickory, pecan, black walnut, and here and there were scattered groves of crabapple and single trees of the persimmon and mulberry. The underbrush was composed of numberless thickets of wild plums, blackberry and other bushes; and all were matted together by the grapevines, which, in their efforts to gain the sunlight, twined serpent-like about the tree trunks, encircled the branches, and almost covered the tops with their broad leaves. On the east side of the bottom was a long stretch of limestone bluffs, rising perpendicularly from the plain to the height of about a hundred feet, effectually cutting off the low land from the prairies beyond. The bluffs presented their rough-hewn faces to the view like the bastions of some cyclopian fortress, but in places they were screened by the trees which clung to their sides and hung from their crests. Between the forest and the cliffs lay an undulating meadow, the surface of which was varied by belts of trees bordering the lakes and ponds or fringing the streams which had found their way through the bluffs and followed their quiet courses to the great river beyond. On both meadow and bluff the growth of the flora was luxuriant. In the marshy places the reeds raised their slender tops far above the head of the passer-by, hiding from view the snowy lilies serenely floating on the surface of the ponds; while in forest, field, and swamp the bluebells, goldenrod, mallows, and cardinal flowers made the scene on every side gay with their brilliant hues.

Here nature offered her gifts with bounteous hand; but as in all such lands of tropical prodigality the climate was warm and enervating, inducing in man a love of indolence and repose rather than the more virile emotions. The ponds and streams, so beautiful with their fringe of foliage in spring, became in summer stagnant and were the breeding places of myriads of mosquitoes, which scattered the germs of disease among the hardy invaders

of the wilderness. In the springtime the waters of the Mississippi submerged the land and occasionally stretched in an unbroken expanse from the bluffs of Illinois to those of the opposite shore.[1]

This is not the place to tell the earliest history of this region, of the exertions of the French to settle and hold the Mississippi valley, or of that inevitable struggle with England which ensued; for the narrative of the documents printed in these pages belongs to a later period. When their story begins the American Revolution was at its height, and the echoes of that struggle, heard on the banks of the Mississippi, had awakened in the hearts of the French *habitants* a fond hope of freedom; when their story ends, the constitution of the United States had been adopted and the new-born nation was prepared to attempt the solution of the difficult problems incident to her heritage in the West. Between these dates the American frontiersmen had found their way to the Illinois and the dramatic struggle of Anglo-Saxon energy with Gallic quietism had begun.

In the year 1778 there was a population of less than a thousand white settlers and of about the same number of negroes and Indians in the villages of the bottom. At the north was Cahokia with its three hundred whites and eighty negroes; forty-five miles south was St. Philippe, formerly inhabited by a dozen families, but now, because of the exodus of the French at the time of the transference of the territory to the British, with only two or three remaining; at Fort de Chartres village, called Nouvelle Chartres, there still lingered a few French settlers; three miles farther south Prairie du Rocher nestled under the bluffs, from which it took its name, with a population of a hundred whites and almost as many slaves; and at the extreme south was the

[1] Hutchins, *Topographical Description*, ed. Hicks, 106 *et seq.*; for a good description of the American Bottom, see Flagg, *The Far West*, in Thwaites, *Early Western Travels*, xxvii 106 *et seq.* At the end of this volume will be found a map of the American Bottom taken from Collot, *Voyage dans L'Amerique Septentrionale*. This map was originally printed wrong way around, for the river flows north and south instead of east and west as indicated by the caption. I have removed the compass of the original map, but have not made the other necessary alterations, preferring to print it as in the original. The basis of this map was undoubtedly Hutchins' well-known map of the same region. My additions are the names of Prairie du Pont, Grand Ruisseau and Prairie du Rocher I have also changed the name Fountain to Belle Fontaine

metropolis of the bottom, Kaskaskia, which boasted eighty houses, five hundred white inhabitants, and almost as many black.

The settlement of the white men in the bottom had not driven out the aborigines, for the French have always dwelt in peace with the American Indians, the management of whom they understood far better than did the Anglo-Saxons. Near the French villages were the homes of these children of the prairies, who numbered at the time less than five hundred members of the four remaining tribes of the Kaskaskias, Peorias, Mitchigamies, and Cahokias. The French and British travelers are unanimous in describing these Illinois Indians as degenerate descendants of a once warlike people. Their association with the French, instead of fitting them better to meet the trials of life in the wilderness, had corrupted the qualities of bravery and physical courage and made them the debauched parasites of their white neighbors.[1]

Besides these settlements of the American Bottom on the Mississippi River, there were in the valley of the Wabash the two important posts of Ouiatanon and Vincennes, the latter of which rivaled the Illinois villages in population and importance; for it was by the Wabash that the principal trade route between the more western posts and Canada ran.[2] Many smaller settlements were scattered throughout the region; at Peoria on the Illinois river, where lately Jean Bte. Mailhet had revived an older trading post; at St. Joseph on the river of the same name, and at Miami; and here and there smaller groups of French traders might be found in the Indian villages and elsewhere. These smaller posts served only the purposes of trade. Their white inhabitants, being migratory in their habits, either followed the Indians on their periodic hunts or went from one post to another merely to buy the furs when the Indians returned.

The British dominion ended with the Mississippi River. On the western bank were other French villages such as St. Louis and

[1] Pittman, *European Settlements on the Mississippi*, ed. Hodder, 84 *et seq.*; Hutchins, *Topographical Description*, ed. Hicks, 107 *et seq.*

[2] Benton, *The Wabash Trade Route*, J. H. U. *Studies*, xxi.; Dunn, *Indiana, passim;* Craig, *Ouiatanon*, in Ind. Hist. Soc. *Publications*, ii.; Franz, *Die Kolonisation des Mississippitales*, 199.

Ste. Genevieve, belonging to the government of Spain. They did not differ greatly in character or population from these of the British shore; but since the rule of the Spaniard was on the whole more congenial to the Gallic temperament, many of the more progressive settlers from the eastern bank had made their homes there during the last decade, and the Spanish bank enjoyed greater prosperity and a more rapid increase of population than did the British, advantages which the events of the succeeding years tended to augment, so that at the end of the period under review the Spanish shore had profited by the misfortunes of the neighboring villages.[1]

Most of the French of the western posts came from Canada, with which country they retained constant communication through trade and exchange of messages on family affairs. Very few had come directly from France and the number from southern Louisiana was relatively small.[2] Here in Illinois and on the Wabash which under both the French and British regime were subject to the same jurisdiction,[3] they had lived for one or two generations, engaged in the pursuits of trade and the cultivation of their small farms. The majority, known as the *habitants*, coming as they did from the lower classes of France, were illiterate and ignorant; and their life in the wilderness, far removed from the restraints of civilized society, had not improved their mental or moral qualities, but had developed those best fitted to their mode of living. Like the Indians with whom they associated and even intermarried,[4] they were active, adroit and hardy, but

[1] See *post*, pp. cxlii *et seq.*

[2] See notes to census on pp. 624 *et seq.* Reynolds (*My Own Times*, ch. xii.) says that the population of Kaskaskia and Cahokia showed differences due to their origins, the former being settled from Mobile and New Orleans and the latter from Canada. Although I have not traced out the origin of all the families of Kaskaskia as I have of those of Cahokia, I have noticed no indications of such a difference. Certainly all the prominent families of Kaskaskia were Canadian and the names of the other families are easily recognized as coming from the same place. Although it is necessary to make some use of Reynolds' books, they must be recognized as the most unreliable sources for the early period that we have. More errors in the histories of the state may be traced back to his statements than to any other one source.

[3] This is true only of the more important village, Vincennes; for Ouiatanon was under the government of Canada, and Vincennes with the Illinois villages in the province of Louisiana during the French period. Dunn, *Indiana*, 58.

[4] All writers testify to the intermarrying between the French and Indians, but I have been surprised at the infrequency of the occurrence of marriage contracts between representatives of the two races among their records. This may be due to the fact that contracts on such occasions were not used. I am inclined to believe, however, that the frequency of such marriages has been somewhat exaggerated by the travelers.

also cunning and treacherous. At their best the *voyageurs* and *coureurs de bois* could be seen laboriously pulling their flat boats laden with produce up the rivers or gliding in their canoes on the wood-girt streams and ponds in pursuit of game. In such labors they were merry, patient, and industrious; as a rule they were faithful in the performance of their engagements and were warm in their friendships, but to their enemies revengeful and ready to take the meanest advantage. Yet their life amidst the dangers of the forest did not develop in them physical courage, for in the presence of an unexpected attack from Indians or others they were generally timid and resourceless.[1] Without doubt many individual examples of pluck and bravery might be enumerated; but in comparison with the American frontiersmen the French *voyageurs* and *coureurs de bois* exhibited little boldness and initiative in action. Returned to the settlement they were careless and pleasure loving, dissipating their energies in drinking, gambling, and gossiping; and, as irresponsible as children, they were easily turned aside from the pursuit of their real interests. It can be readily understood that to the men who followed the wilderness trace or tracked the wild beasts in the dark forest, agriculture and the mechanic arts would offer little or no attraction; but even in the pursuit of their calling one looks in vain for a sign of the enterprising spirit of the Anglo-Saxon.

Although priests and governors made loud complaint of the disorderliness of these *habitants*, yet their pleasures and vices were of a far milder type than those of their counterparts, the American backwoodsmen. The French always retained a respect for law and constituted authority and preferred to be guided rather than to lead. The expression of their individualism was checked in the presence of officials, for government meant to them authority with a divine right to rule. In all their dealings, business and social, they never neglected to call in the assistance of notary or judge, whose legal papers they preserved, as their records show, with the greatest care and reverence. In their

[1] This is abundantly proved by the following pages. Such is also the testimony of the fur traders of the far West, who employed the descendants of these French as *voyageurs* and hunters. Chittenden, *American Fur Trade*, i. 57.

petty quarrels with each other the Frenchmen saw no disgrace in seeking from the court a "reparation of honor" instead of ending them with the brutal fights common among the Americans. Though given to drinking and gambling, the dance was their favorite amusement, and to the weekly frolic came the men and matrons, the young men and maidens; and even the priest graced these festive gatherings. Here all danced until the small hours of the night or even to daybreak with no appearance of rowdyism or vulgarity to mar their simple festivities.[1]

It is due to the remembrance of this lower class, the *habitants*, that travelers, both French and English, have condemned in such unmeasured terms the Illinois French settlers; but the picture of the village society would be incomplete if limited to a description of the *coureurs de bois* and *voyageurs*; for it was never wholly vulgarized and depraved, owing to the presence here of many persons from the better classes of France and Canada — the gentry, Clark called them — who, accustomed to greater refinements of life than those of the log cabin, endeavored to surround themselves with such little elegancies as might be brought from Canada or elsewhere. Some of the residents could claim nobility of birth. The acting commandant in 1778 was son of the seigniorial lord of Savournon, the sieur de Rocheblave. Timothe Boucher, who a few years later held a similar position, was the sieur de Monbreun,[2] a grandson of Pierre Boucher several times governor of Three Rivers, who was ennobled for his services in 1660. Among the gentry, which was a rather elastic term, were also many well-to-do men, who had risen to prominence in the Illinois or else possessed some patrimony, before migrating to the West, which they had increased by trade. Such was Jean Bte. Barbau of Prairie du Rocher, the members of the Bauvais[3] and Charleville families of Kaskaskia

[1] Reynolds, *My Own Times*, ch. xii.

[2] For an account of his place in Illinois history, see *post*, p. cxxiv. The name is spelled in Canada Montbrun, but this member always wrote it as given above, except in one place, which I have noticed, when he placed after it a superior t

[3] Reference to the family will be found at various places in the Introduction see pp. xx., n. 5, li., n. 3, cvii., cxvii., cxxxv. The members of the family always wrote the name as spelled above. They commonly used their second name in preference to their surname St. Gemme.

and their neighbors and friends, the Viviats, the Lachances, and the Janis; and at Cahokia, the Sauciers, François Trottier, Antoine Girardin, and J. B. H. LaCroix.[1] Next to the acting commandant the most important individual of the American Bottom was Gabriel Cerré, who had acquired his wealth in the fur trade. He was well educated and had correspondents in Canada and elsewhere.[2] Among the rising young men must be reckoned Charles Gratiot, who had established himself at Cahokia in 1777 and was associated in business with three Canadian merchants. He had had an excellent education, spoke several languages, was something of a dandy in dress, and had by his address won for himself a place of influence in the community.[3] These were the men and others like them to whom Sir William Johnson, the British Indian commissioner referred, when he wrote that the French traders were gentlemen in character, manners, and dress, and "men of abilities, influence, and address."[4]

These members of the gentry lived far more elegantly than the American backwoodsmen and were their superiors in culture. Their houses were commodious and their life was made easy for themselves and families by a large retinue of slaves.[5] They were in social life pleasant, their hospitality was proverbial, and their courtesy to strangers constant. They evidently maintained the distinction between themselves and the poorer and more ignorant classes, so that the democracy of the American frontier was not established among them. Thus was added to the French settlements an element of refinement and elegance, however simple,

[1] For these Cahokians see the foot-notes on pp. 624 *et seq.*

[2] Gabriel Cerré was born at Montreal, August 12, 1734. As early as 1755 he was established at Kaskaskia, where he married in 1764 Catherine Giard. His activities at the time of the coming of Clark are told in the succeeding pages. He did not find it best for his business interests to remain among the Virginians and by June 17, 1779, had made his preparations for his removal to St. Louis by purchasing a lot in that village. The date he left Kaskaskia is not known, but was probably before the end of 1779. He became one of the most influential citizens of St. Louis and died April 4, 1805. Douglas, "Jean Gabriel Cerré, A Sketch," in *Transactions* of Ill. Hist. Soc., 1903.

[3] See note on p. 4, n. 2. I have to thank Mr. Pierre Chouteau of St. Louis for the loan of *Journal A* of the trading company of David McCrae, John Kay, Pierre Barthe, and Charles Gratiot. The first entry is dated at Cahokia, August 6, 1778. The journal was written by Gratiot.

[4] *N. Y. Col. Doc.*, vii., 965.

[5] A member of the Bauvais family owned eighty slaves. Pittman, *Miss. Settlements*, ed. Hodder, 85.

which was always lacking in the more virile, if less romantic, communities of the American pioneers.[1]

Except for the wildness of the surrounding uncleared land and the luxuriance of the growth of vegetation, these villages copied in their external appearance and internal life the similar communities of France in the eighteenth century. Just as the English settlers on the seaboard brought with them their English household goods and their English institutions, and planted them by the streams and hills of New England, so these French of the Mississippi valley transplanted from the heart of France their homes with their utensils and ornaments and the village community in which they and their ancestors had lived.

All the houses were of one story with a broad veranda on one or more sides. The less pretentious ones were built of upright beams set in horizontals at top and bottom with the interstices between the beams filled with what was called "cat and clay", a composition of clay and finely cut straw or moss. At one side, and sometimes two, there was a large chimney for the spacious fireplace of the living room and kitchen.[2] The better houses were of stone and with their sheds, barns, and slave quarters gave evidence of prosperity and wealth. Around each

[1] Very severe judgments have been passed upon the French on the Mississippi and Wabash rivers by many writers. Among these the most important have been the British officers and the later French travelers. The first class has always been noted for its incapacity to appreciate the good characteristics of a civilization different from its own, and the French travelers, such as Michaud and Collot, visited the region after the events narrated in this *Introduction* had driven the more progressive men from the eastern bank to swell the Spanish villages. Therefore it has seemed necessary to supplement their accounts from other sources. In writing the description of these people I have first of all had in mind the record of their acts contained in this volume. The picture formed in the mind after reading these records is not that of the most "debased, ignorant, and superstitious of humanity", but rather the reverse. These facts should in part offset the strictures of Fraser and Croghan, as should also the letter of Sir William Johnson quoted above. At their best the French of Illinois were not dissimilar from those on the Spanish bank, so that the description of Ste. Genevieve by Brackenridge is correct enough for Illinois. Any knowledge of the conditions in Canada may be used cautiously also. We have two attempts to form judgments of these French, coming from men of different character. The first is by C. F. Volney, who visited the region in 1796 and the other by Edmund Flagg whose visit was made in 1836. The testimony of Governor Reynolds may also be admitted, since he lived among them and knew them well. Fraser, *Report*, from a copy in the public library of Champaign, Ill.; Croghan, *Journals*, in Thwaites, *Early Western Travels*, i., 152; Letter of Sir William Johnson in *N. Y. Col. Doc.*, vii., 965; Volney, *View of the U. S.*, 370 *et seq.*; Michaud *Travels*, in *Early Western Travels*, iii., 70; Brackenridge, *Recollections*, 19 *et seq.*; Smith, *St. Clair Papers*, ii., 137. Collot, *Voyage dans L'Amerique*, i., 318; Flagg, *Far West*, in Thwaites *Early Western Travels*, xxvii., 52 *et seq.* An excellent description of the French-Canadians of the period may be found in Coffin, *The Province of Quebec and the Early American Revolution*, 282 *et seq.*; see also Franz, *Die Kolonisation des Mississippitales*, 382.

[2] See illustration of a typical house of this character, p. 284. Descriptions of such houses may be found in Monette, *Hist. of the Valley of the Miss.*, i., 183 and Volney, *View of the U. S.*, 368.

dwelling was a small yard enclosed by a picket fence, within which enclosure were the orchard and the kitchen and flower gardens. The whole presented an attractive picture of quiet and peaceful home life. Within the house everything was generally home made, although some of the more wealthy brought their furniture from Canada. The poorer houses appeared shabby and badly kept, for the French women were careless housekeepers, and rather extravagant and wasteful. At least such was the opinion of the American settlers who lived among them.[1]

On account of the social character of the people, the isolated farm house was uncommon in the bottom and the village community was the rule. The streets were narrow and the houses were placed close to the edge of the lots, almost on the street-line. The farm land lay outside the village in two large fields, one the common field and the other the commons. The common field was divided into long narrow strips, ten to forty perches in width and extending from the river to the bluffs; these the inhabitants cultivated. The commons was the wood and pasture land belonging to the community,[2] and was separated from the cultivated fields by a fence, which was erected by the proprietors, each being responsible for that part crossing his land. The community had the right to make concessions from the commons and add them to the common field for new arrivals and for newly formed fami-

[1] Volney, *A View of the U. S.*, 373 *et seq.*

[2] The statement is true enough for the period under consideration. This is not the place for a discussion of the history of French land tenure in America, for the origin of the system must be sought in the period of the French régime and the final settlement of the questions arising out of it in the years after the United States took control, so that the discussion of the land tenure will naturally come within the scope of some future volume. However, a few words on the subject may be of value in explaining the situation. The land acquired from the Indians for the purpose of colonization was regarded as belonging to the king's domain, after the company of the Indies resigned the government of it. This domain land was disposed of in two ways. 1st. Large tracts might be granted to individuals as seigniories. The character of the title given was that of the *franc alleu*, which in the eighteenth century did not differ essentially from the benefice. These large seigniories were divided by the proprietors into smaller tracts and granted to the *habitants* as *censive* holdings, which paid the grantor a perpetual rent of a *sou* an acre, were subject to the banalities, and escheated to the seignior in case no heirs were found. 2nd. The king might retain the control of the land himself and grant it out himself in *censive* holdings, as he did at Kaskaskia and Nouvelle Chartres. The land cultivated by the people of Cahokia belonged to the seigniory of the Seminary of Foreign Missions; St. Philippe was a seigniory belonging to the Regnaults and Prairie du Rocher had been originally conceded to Boisbriant, but had been passed on by him to Langlois. In the bottom there were also many smaller concessions in *franc alleu* and under the British many more were made by one of the commandants. Viollet, *Histoire du droit français*, 746 *et seq.*; *Archives Coloniales à Paris*, Ser. B., vol. 43, p. 780; Breese, *Early Hist. of Illinois, Appendix* F.; Franz, *Die Kolonisation des Mississippitales*, 201

lies.[1] This method of laying out the fields and this kind of land tenure were transplanted from France, where they had been developed through centuries; for when the French people found themselves in places where land was plentiful, the power of tradition prevented a readjustment of their ideas in regard to landholdings and agriculture. Hence they brought with them the mark system and tenure, with the whole machinery for the administration of the village land as they knew it in France. The time for plowing, sowing, and harvesting was regulated by the assembly of the inhabitants, as well as all other questions affecting their common property and common interests. The officer elected to supervise the execution of the laws of the commons and the decisions of the assembly was the syndic, of whose presence in the villages on the Mississippi during the eighteenth century there still exists proof. The assemblies of the villagers, which copied the French custom in this particular as in all others, were held before the church door after mass and were attended by all males of military age. [2]

The Illinois French were not an agricultural people, although they did send down some grain and cattle to New Orleans.[3] For this reason they made no progress in the art of agriculture and continued to till their fields in the same way and with the same kind of implements as had their fathers for generations before them. The profits and the adventurous life of the fur-trader exercised for them such a fascination as to prevent their pursuit of a calling which would have given them a firmer hold upon the soil and might have preserved them from many of the misfortunes which finally overcame them. For the same reason they never speculated in land or attempted to gain possession of large holdings. In later years, when they in a way controlled their own destiny, they tried to protect themselves from the

[1] Babeau, *Le village sous l'ancien régime, passim;* Flagg, *Far West*, in Thwaites, *Early Western Travels*, xxvii., 45 *et seq.*

[2] Babeau, *Les assemblées generales des communautés d'habitants;* Babeau, *Le village sous l'ancien régime, passim.*

[3] When compared with the Americans, this is true; but the Illinois French raised grain and vegetables to a greater extent than has generally been admitted, and their exportation of grain to New Orleans was an important item in the Mississippi trade. Franz, *Die Kolonisation des Mississippitales*, 251.

American land-traders; but the contest was too unequal and, since their own hold on the land was so weak, they were forced to bow to fate and to see themselves supplanted by the Americans, who were builders of more permanent homes.

The most conspicuous buildings in the villages were the churches. The Cahokia church, however, was in ruins in 1778 and was rebuilt in the next few years; but at Kaskaskia there was "a huge old pile, extremely awkward and ungainly, with its projecting eaves, its walls of hewn timber perpendicularly planted, and the interstices stuffed with mortar, with its quaint old-fashioned spire, and its dark, storm-beaten casements." Here the Kaskaskians had worshipped for two generations.[1] The people were for the most part very devoted to their religion, and the priests exercised great influence over them. Their attachment was due more to traditional allegiance, however, than to personal conviction. The wild life of the wilderness had not been without its effect, and the lack of proper supervision had resulted in religious recklessness; yet however debauched and irreligious their lives, the *coureurs de bois* and *voyageurs* were easily brought by a vigorous priest to acknowledge their dependence on the church. At the moment of death they always sought the consolations of religion and left by will money for the saying of masses for the dead. There appears, therefore, to have been no rebellion against the church. In one individual case only is there any evidence that the radical thought of France had penetrated to Illinois.[2]

In the management of the church property the villagers were associated with the priest through the vestrymen, whom they elected for this purpose from the most prominent men of the communities. Social life centered in the church, as it did in the Puritan New England village, and the people looked forward to the church processions and festivals as important events in their

[1] Shea, *Archbishop Carroll, passim*; Flagg, *The Far West*, in Thwaites, *Western Travels*, xxvii., 62.

[2] Louis Viviat requests in his will that no pomp and ceremony mark his burial and that no payment be made for masses for the dead, since the deity is not mercenary nor is heaven to be bought. *Kas. Rec., Court Record.*

monotonous village life. It was also at the church door that the assemblies of the people met, that the auction of property was held; and it was after the church service that the Sunday dance took place.[1]

In 1778 the priest in charge of the Illinois parishes was Father Pierre Gibault, who with some interruptions had been serving the parishes on the Mississippi and Wabash since 1768. He was *curé* of the parish of the Immaculate Conception of Kaskaskia and vicar general of the bishop of Quebec. Father Gibault came from a good Canadian family. He was enthusiastic in his work, and appears to have maintained order in the parishes, which had been long neglected or served only by Father Meurin who had found himself too old and feeble to perform his arduous duties successfully. Father Gibault during the years of his residence had gained a great influence over the people of the region, which he used at a critical moment to change their destiny.[2]

The territory of Illinois had been ceded by France to England by the Treaty of Paris in 1763 and two years later British troops had occupied the country. The policy of the British government was very vacillating in regard to the Northwest Territory, and particularly as to the French villages. It is quite evident that there was no purpose of opening the region up for settlement, and there was serious thought of removing the French from their villages to Canada.[3] For this reason the government of England was unwilling to establish a permanent civil organization in spite of the efforts of the French inhabitants and the American traders and land speculators, so that the government remained to the end military. Until 1774 the whole Northwest was subject to the commander of the British forces in America with headquarters at New York, and the relations of the West were closest with the seaboard colonies. In that year, however, by the passage of the Quebec Act the country was joined to Canada

[1] Babeau, *Le village sous l'ancien régime*, *passim*.

[2] Shea, *Archbishop Carroll*, consult *Index;* Dunn, *Father Gibault*, in *Transactions* of the Ill. State Hist. Soc., for 1905.

[3] Gage to Hillsborough, March 4, 1772, *Spark's Collection*, Harvard lib.

and steps were taken to provide a civil government for it; but this was prevented by the outbreak of the Revolutionary War.

In the spring of 1776 the military force, which had been maintained in the Illinois was removed, and the commandant in charge appointed as British agent Philippe de Rastel, Chevalier de Rocheblave. The choice was a wise one. Rocheblave had had a long and varied experience in the West, had served as an officer in the French army during the French and Indian War, and at the conclusion of peace had taken refuge, as did many other Frenchmen, under the Spanish flag. He was entrusted with the government of Ste. Genevieve, but having become involved in legal difficulties with the Spanish officials, he returned to the British bank. The exact date of his return is uncertain, but the proceedings against him in the Spanish court occurred in October, 1773, so that he could have been at longest a little over two years in British Illinois, when he received his appointment to look after the British interests in the western country. In his various undertakings he had proved himself bold and resourceful, avaricious and not too scrupulous in his methods, and by nature suspicious. He knew well the nature of the French inhabitants, and had a dislike and deep-seated suspicion of the Spaniards. His ambition was such as to lead him to give his best service to his employers, and they in turn had confidence in his abilities and willingness to serve them. On August 13, 1777, Carleton wrote that "his abilities and knowledge of that part of the country recommended him to me as a fit person."[1] Hamilton says of him, "I shall in my correspondence with Mr. de Rocheblave keep alive the hopes of his being Governor of New Orleans — a more active and intelligent Person is not to be found in This Country of ignorant Bigots, and busy rebels, and had he the means I doubt not of his curbing their insolence and disaffection."[2] The intimation in Hamilton's letter was correct enough; for, although the inhabitants treated Roche-

[1] Mason, *Rocheblave Papers*, in Chi. Hist. Soc.'s *Collections*, iv., 395.

[2] *Can. Archives*, Q., 14, p. 74.

blave as commandant and judge, his powers as agent were too limited and the money allowed him insufficient to enable him to accomplish what he saw was necessary for the British cause. Time and again he was informed that he could only draw for his salary and that his expenses were to be met by the sums which the commandant at Vincennes could allow him.[1]

By what law other officials were exercising civil powers in the Illinois does not appear from the records, but the existence of such is proved from their acts. There were at Cahokia, St. Philippe, Kaskaskia, and Prairie du Rocher officers styling themselves judges, who put in execution the decrees of the commandant. Since at the same time these judges were captains of the militia, it is probable that the French official with similar duties was retained by the British officers. Besides this judge or captain there were a sergeant and a notary in each of the districts of Cahokia and Kaskaskia.[2]

The foregoing description of conditions in British Illinois would be far from complete without an account of one very important element of the society. No sooner had the news gone forth that the land to the north of the Ohio River had been ceded to England by the French than the merchants of the seaboard colonies began to compete for the fur-trade of the region in a way that had been impossible hitherto. Up to this time the principal trade in the Illinois had been conducted by Canadian and Louisiana merchants, the English colonists having found their way north of the Ohio only just previous to the outbreak of the last war. But now the opportunity was opened to the eastern merchants and they eagerly seized upon it, thus bringing on a commercial war for the trade of the Ohio and the Mississippi. In this the merchants of the English colonies had one decided advantage, since they could deliver goods at the villages of the Illinois cheaper than

[1] The most important documents in the *Haldimand Collection* concerning Rocheblave have been printed by Mason in Chi. Hist. Soc's *Col.* iv. Others have been published in *Mich. Pioneer and Hist. Col.* vols. iii., v., vii., and ix.

[2] The subject of the British administration is now under investigation and in the course of time something definite will be said about it. For the above facts I have drawn on the *Kas. Rec.*

the same could be purchased and brought by way of the lakes and the Wabash or up the Mississippi.[1]

The British soldiers were hardly established in Fort de Chartres before the merchants who made their starting place Fort Pitt had arrived. Among the first was one who was to exercise great influence on the development of the Illinois, George Morgan, who like the majority of traders from the East came from Philadelphia. He had been educated at Princeton and had then entered the firm of the Bayntons, which became better known in the West under its later name of Baynton, Wharton & Morgan.[2] Although young, by his enthusiasm he had persuaded his partners to embark on western trade and land speculation, and they established branch stores at Kaskaskia, Cahokia, and Vincennes. Other firms also entered into competition, such as the firm of Franks & Company of London and Philadelphia, whose representative, William Murray, was a little later than Morgan in reaching the Illinois. About the same time an Englishman, who claimed Manchac in Mississippi as his home, established the firm of Bentley & Company. These and other companies brought with them many agents, clerks, and hunters, so that the list of names of men of English speech in the region became a long one. In 1768 Morgan writes that there were sixty Englishmen in a militia company which had been formed. Among them were many names which will be mentioned in the following pages. John Henson was the representative of Baynton, Wharton & Morgan at Cahokia, Richard Winston set up in business for himself in partnership with Patrick Kennedy, and the firm became later the representative of Morgan's interests at Kaskaskia; Richard Bacon served Morgan in his farming enterprise; others,

[1] Fraser's *Report*, MS. copy in public library of Champaign, Ill.; Smith, *St. Clair Papers*, ii., 175; *Letter-Book of George Morgan*, 1767–1768. This last belongs to Mr. A. S. M. Morgan of Pittsburgh, Pa., who kindly loaned it to me. A copy may be found in the Ill. State Hist. Library. See also Franz, *Die Kolonisation des Mississippitales*, 268 *et seq.* The cost of transportation up the Mississippi was, however, cheaper. Collot, *Voyage dans L'Amerique*, ii., 263. Lieutentant Hutchins in an enclosuse in a letter of General Gage's, October 11, 1771, and Captain Forbes in an undated letter affirm the contrary to the statement in the text; but Colonel Wilkins disagrees with them and confirms the experience of the trader, George Morgan. The letters are found in the *Bancroft Collection of MSS.*, Lennox Library, N. Y.

[2] *Letter-Book of George Morgan;* Julia Morgan Harding, *Colonel George Morgan*, a paper read before the Washington (Pa.) Co. Hist. Soc. and printed in the *Washington Observer*, May 21, 1904.

either men attached to one of the firms or independent traders, were Daniel Murray, brother of William, James Rumsey, Thomas Collins, Thomas Brady, and Richard McCarty. In the first years of the British rule it looked as if the Ohio River would become the great trade route of the region and supplant the older and, with the French, more popular waterways to New Orleans and Canada.[1] Even the British government seems to have approved at first this attempt to turn aside the trade from its older channels, for in 1769 the colonial governments were empowered to appoint officers to superintend the Indian trade, and Fort Pitt and the Illinois were assigned to Pennsylvania.[2] Thus the Indians north of the Ohio became accustomed to Fort Pitt as the seat of authority in matters in which they were vitally interested.

The fur-trade was not the only inducement to draw the American colonists to the banks of the Mississippi, for from the first the opportunity to speculate in lands was a rival attraction. Land traders were early interested in the territory at the head-waters of the Ohio and soon found their way down the river. In this movement some of the most prominent men in America were interested, such as George Washington, Lord Dunmore, and the Franklins, father and son. The Illinois lands offered equal attractions and early became an object of speculation, in spite of the Edict of 1763 prohibiting settlements in the region. It is impossible to enter into the complicated questions connected with the attempt to open up Illinois by making it a new colony.[3] It is sufficient to know that many prominent men were connected with all such schemes, and that while William Franklin, Sir William Johnson, Samuel Wharton, and others were seeking for a charter for the Illinois colony and Benjamin Franklin was employing his powers to persuade the British government to grant the same, there was formed in March, 1766, a company for the

[1] The evidence for this is found in the *Letter-Book* of George Morgan and the *Kas. Rec.*; see also Moses, *Court of Inquiry*, Chi. Hist. Soc's *Col.*, iv.

[2] N. Y. State Library *Bulletin* No. 58, *Cal. of Council Minutes*, letter of General Gage, March 29, 1769.

[3] See Alden, *New Governments west of the Alleghanies before* 1780.

purchase of land near the French villages, of which George Morgan was the representative in the Illinois. Although several strips of land were bought, nothing of any moment was accomplished by this company.[1] However, another known as the Illinois Land Company, most of the members of which were Philadelphians, acquired in 1773 through its representative, William Murray, two large tracts, one situated on the Illinois River and the other south of Kaskaskia on the Ohio. Two years later, the Wabash Land Company, the members of which lived for the most part in Maryland, purchased through its representative, the Kaskaskian Louis Viviat, an associate of Murray, two tracts on the Wabash, one above and the other below Vincennes. Since both purchases were made from the Indians and contrary to the Edict of 1763, they were not allowed by the British government and were annulled by General Gage.[2] When the American Revolution broke out, most of the purchasers sided with the colonists and looked to the success of their cause to further the enterprise in the West.

Although there was at times considerable complaint against the British commandants by the merchants and land-traders, these were generally favored more than the French inhabitants or the Canadians, until the passage of the Quebec Act in 1774, which united the Illinois territory with the province of Quebec and annulled any special favors and privileges which the merchants from the East may have enjoyed. This act and the canceling of the land purchases, which proved the intention of the British government to carry out the principles enunciated in the Edict of 1763, were discouraging to the enterprises of the repre-

[1] The purchases of several pieces of land and the grants of others by Colonel Wilkins, commandant, were recorded in the record-book of the district. (*Kas. Rec.*) The agreement creating the land company is in the library of the Hist. Soc. of Pennsylvania. The original members were William Franklin, Sir William Johnson, George Croghan, John Baynton, Samuel Wharton, George Morgan, Joseph Wharton, Joseph Wharton, Jr., John Hughes, and Joseph Galloway. The firm of Baynton, Wharton & Morgan received a concession of a large tract of land in the American Bottom from Colonel Wilkins in 1769. This claim passed into the hands of John Edgar, was confirmed by Governor St. Clair, but was rejected by the land commissioners of the U.S. *Amer. State Pap., Pub. Lands*, ii., 206.

[2] The best account of the Illinois and the Wabash Land companies is contained in a pamphlet published in Philadelphia in 1796 with the title, *Account of the Proceedings of the Illinois and Ouabache Land companies*. Other memorials were printed in later years, some of which may be found in *Amer. State Pap., Pub. Lands*, vols. i and ii, the longest in vol. ii., 108 *et seq.* For the later history of the two companies see *post* p. lxx.

sentatives of the Eastern colonies, and from that date their number in the Illinois began to decline and trade turned back to the older channels. The next men of English speech to compete with the Spanish and French merchants for this western trade were representatives of the new British Canadian houses which sprang up after Canada was ceded to Great Britain. When it is remembered that the persons back of this attempt to capture for the East the trade of the old Northwest and to exploit that territory through their colonizing schemes were some of the most important merchants and professional men in the seaboard colonies, one cause of the opposition among the Easterners to the Quebec Act is easily understood.[1]

The entrance of the American colonists into the Illinois had two results, one immediate and the other more remote. The trade had brought into the French villages several men of English speech, who for one cause or another determined to remain; and their presence made possible continual correspondence between the West and the colonial revolutionists; and at the same time they prepared the minds of the French to receive any company of American soldiers who might undertake the conquest of the country. The second result was apparent only later. The men who had been foiled in their attempt to secure the trade of the old Northwest and to acquire its land for colonization were not willing to accept the decision of the Quebec Act as final, and were prepared to renew the attempt at the first opportunity with the chance of greater success.

Rocheblave had been appointed agent for the British a year after the outbreak of the American Revolution, and from the first he had trouble with the Americans who remained in the villages and who generally sympathized with the cause of independence.

[1] For a discussion of the Quebec Act see Coffin, *The Province of Quebec and the Early American Revolution*. The decreased number of Americans from the eastern colonies is proved by a careful study of the names appearing in the records. Some of the more important men are known to have left. Morgan left before 1774, probably in 1770, but his firm still continued to conduct business in the Illinois until about 1774. William Murray left the country in 1776; James Rumsey must have left shortly before. The Canadian merchants began to appear in 1777, at least that is the date of the first appearance of a representative of any of the new Scotch firms of Canada which in time controlled the western fur-trade. After the close of the American Revolution they came in great numbers. See *post* p. cxlvii.; J. Bte. Perrault's *Narrative*, in Schoolcraft, *Indian Antiquities*, pt. 3.

It is difficult to decide to-day where justice lay in the constant disputes between the two parties, for the endless recriminations which they hurled at each other were surcharged with personal hatred and irreconcilable hostility.

The first cause of dispute grew out of the trade with the Indians. Every government in the West has been forced sooner or later to attempt to regulate the sale of liquor to the natives, since one of the chief dangers to the small frontier community comes from intoxicated savages. Since Rocheblave was without authority, he was obliged to use other means than prohibition to regulate this dangerous trade; and no better method could have been devised than that he used. In a community practically without government like that of the Illinois, public opinion alone could be called into play to prevent an evil which endangered the lives of all alike. One of the first acts of Rocheblave was to call an assembly of the inhabitants on April 17, 1776, to discuss among other matters, all questions concerning their relations with the Indians. It was decided that, since some savages made war on the English and some on the French and since both realized that they were under one government and were all brothers and must hold together, the assembly of the inhabitants should regulate the trade with the savages from time to time. The people also agreed on their honor not to give to the Indians any intoxicating liquor, and to assemble under arms when the commandant gave the signal. At the same assembly it was determined that, if any one refused to pay just debts, the inhabitants would give their assistance to the government to enforce such payment. The agreement was signed by all the prominent Frenchmen of the villages, but by only one Englishman, Daniel Murray.[1] Later this agreement was made the subject of reproach against Rocheblave by one of the English merchants, Bentley, who was most bitterly opposed to the acting commandant. If Rocheblave's charges are to be believed, Bentley and his associates were the chief offenders in the sale of liquor to the Indians.[2]

[1] *Kas. Rec. Court Record*, p. 82.

[2] Bentley made similar charges against Rocheblave and accused him of injustice and tyranny. Rocheblave presented his case before a court, composed of the militia

It was not the liquor traffic, however, which caused the greatest difficulties between the British agent, and the English-speaking inhabitants of the Illinois. On account of the war for independence carried on by the seaboard colonies against the mother country, the western territory became the center of many activities directed against England, of which Rocheblave kept himself well informed, but against which he was able to do little on account of the apathy of the British government. Across the river lay the Spanish posts, which, since the appointment of Galvez as governor of Spanish Louisiana, had become the seat of intrigues against England; for the Spanish officials of America were rather quicker in perceiving the advantages which might be gained by Spain from the rupture between England and her colonies than was the home government, and they committed many overt acts against England before actual war was declared by Spain. From St. Louis and New Orleans the Americans received very substantial aid. At the latter city was Oliver Pollock, who was the American agent and was on the best of terms with the governor. From Fort Pitt boats were sent to New Orleans for supplies of all kinds and these boats were even harbored in St. Louis, opposite the British Illinois.[1]

The English-speaking merchants of Kaskaskia participated in these acts against England and maintained their intercourse with the eastern leaders in spite of the watchfulness of Rocheblave. Bentley and others traded almost openly with the rebels. When William Linn went to New Orleans to obtain powder and other supplies for the Americans, Bentley met him on the Ohio River and sold him powder. It was also known that he sent a boat to Kentucky for the same purpose.[2] The chief representative

captains of Kaskaskia, Prairie du Rocher and St. Philippe, which heard evidence on all the charges brought against the acting commandant by Bentley and acquitted him on every count. The known duplicity of Bentley at a later period makes his testimony more than doubtful. *Kas. Rec. Court Record*, fol. 100 *et seq.*; *Mich. Pio. and Hist. Col.* xix., 324; *Ill. Hist. Col.*, i., 295.

[1] Winsor, *The Westward Movement*, 108; Gayarré, *Hist. of Louisiana*, iii., 109; Rocheblave to Hamilton, May 8, 1777, enclosed in *Can. Archives*, Q., 14, p. 51; Rocheblave to Haldimand, November 9, 1780, *Ibid*, B., 122, p. 545; letter of Rocheblave, February 28, 1778, *Ibid*, *Q.*, 15, p. 196; Mason, *Rocheblave Papers*, in Chi. Hist. Soc.'s *Collection*, iv., 389, 393, 402, 407; Morgan to George Clymer, March 2, 1778, *Papers of Old Cong.*, xv., 317.

[2] In the court appointed by Rocheblave to investigate charges against himself made by Bentley, several Americans and Frenchmen, who were lukewarm in their support of the

of the American cause in the West was George Morgan, who in 1776 was appointed agent under the commissioners for Indian affairs in the middle department and made his headquarters at Fort Pitt.[1] His intimate knowledge of the West and his many friends among the French and Indians made his selection a wise one; and he was able to make some opposition to the activities of Hamilton, the lieutenant-governor of Detroit. Morgan maintained his relations with his agents in Kaskaskia, Winston and Kennedy, and with other correspondents at Detroit and elsewhere.[2] In a letter written in July, 1776, he says: "I am now here on Public Business for the United Colonies. I want to know the exact situation of affairs at the Illinois & what Quantity of flour & beef you could furnish a company or two of men with at Kaskaskia the 25th of next December. This I will depend on you for by the return of Silver Heels who ought to be at Pittsburg as early in September as possible as there is a great treaty to be held in that month with all the western Nations. If one of you could come along with him it may be much to your advantage, but you should be very secret with respect to your Business." There follows an order for horses and the letter ends with a repetition of his request that one of the partners meet him in Pittsburg.[3] It is difficult to determine whether the letter is more than a business letter or not. The company of men may refer to some commercial enterprise that was contemplated; but Congress had determined in the previous April to send an expedition against Detroit and there may have been in the writer's plans a similar one against the Illinois.[4]

commandant, testified concerning the intercourse between the East and the Illinois. (*Kas. Rec., Court Record*) Bentley's defense may be found in the documents from the *Haldimand Collections* printed in *Mich. Pio. and Hist. Col.* xix., 321 *et seq.* and *Ill. Hist. Col.*, i., 295 *et seq.* For Linn's expedition see Hall, *Romance of the West.*

[1] Winsor, *Westward Movement*, 90.

[2] In a letter from Rocheblave to Hamilton, May 8, 1777, occurs the following: "It has occurred to me to tell you that the spy, named Elliot, whom you have had arrested at Detroit, was the bearer of a letter from George Morgan, commissioner for Congress and general director of the undertakings which are made from Fort Pitt against here, to Richard Winston, a very zealous partisan of the same cause." (Letter enclosed in *Can. Archives*, Q., vol. 14, p. 74. See also letter quoted below.) There are scattered references to Morgan in the *Kas. Rec.* Very late in my investigations I learned that there were three letter-books of George Morgan in the Carnegie library of Pittsburg, Pa. I made every effort to have search made in them for material, which would throw light on Morgan's activities in the West. Through the fault of no one, but rather on account of the shortness of the time, I was unsuccessful.

[3] *Can. Archives*, B., 185, pt. 2, p. 549.

[4] *Journal of Cont. Cong.*, Lib. of Cong. ed., iv., 318.

Whatever Morgan's plans may have been, there can be no doubt about the belief of the English-speaking traders in the Illinois; for they were expecting that he would soon bring about such an expedition. They talked of this openly among themselves and spoke of the power of the colonies to the French, to whom they pointed out the advantages of a change of alliance. When William Murray left Kaskaskia in the year 1776, he instructed his brother Daniel to furnish any American troops, who might come, with the supplies they should need; and later he sent word from New Orleans by Colonel George Gibson, to the same effect; instructions which Daniel carried out, when George Rogers Clark arrived in 1778. On June 7, 1778, Richard McCarty of Cahokia wrote to John Askins of Michillimackinac: "It is said that Morgan was to be here with 600 men last winter, but very likely he has something else to do."[1]

In the midst of these intrigues Rocheblave was not strong enough to do more than to memorialize the government at Quebec. Even when he had proved against Bentley the charge of selling goods to the colonies, he did not dare to arrest him in Kaskaskia,[2] for although at the beginning of his administration he had been able to unite all the French in his support, there had developed two parties, one of which showed signs of opposing him. The American merchants had not lived so many years in the villages of the Illinois without making friends among the French, nor were the latter wholly without longings for liberty and aspirations for greater independence. It was only eight years before this that they had commissioned their friend and neighbor, Daniel Bloüin, to present to the British government their wishes for a civil establishment to replace the military tyranny from which they suffered.[3] That movement had caused excited discussions

[1] *Kas. Rec., Court Record*, fol. 100 *et seq;* Murray's instructions to his brother may be found in a memorial by Daniel Murray, *Va. State Papers*, ii., 675; McCarty's letter in *Can. Archives*, B., 97, vol. i., p. 6.

[2] Bentley was arrested at Michillimackinac and carried to Quebec, where he was kept in confinement until his escape in 1780, when he returned to Illinois to take his revenge, as the later narrative will tell. See *post*, p. cxlv. The more important papers in regard to the arrest of Bentley have been published in the *Mich. Pioneer and Hist. Col.*, xix., 321 *et seq.* His intercourse with the Kentuckians is further proved by the fact that Clark made efforts to have Bentley exchanged, Clark to Lernoult, March 16, 1779, *Ill. Hist. Col.*, i., 415.

[3] Mason, *Chapters from Illinois Hist.*, 281. Much new material on this event has been discovered, which will be made known in time.

in the villages at the time, and most of the French could recall the principles, without doubt largely inspired by the Eastern traders among them, for which they had then struggled.

It is true that these same villagers later told Clark that they had not understood the cause for which the colonies were fighting. But this was given as an excuse for not having joined the American cause earlier, for they certainly were not so ignorant nor so artless as they chose to appear to the leader of an army of backwoodsmen. Many had seen the broadsides sent by the Americans to Canada. Their intercourse through trade with Kentucky and Fort Pitt had brought the knowledge to others, and such men as Winston, Kennedy, and the Murrays had been preaching the joys of independence for years. Many of the French were also warm friends and admirers of that enthusiast for the American cause, George Morgan. It is, therefore, not strange that many gave Rocheblave a half-hearted support, although they were not ready to come out openly on the side of the American agents.[1] Among these more or less disaffected Frenchmen must be counted some of the most important men of the communities, such as Father Gibault, the Charlevilles, the Bauvais, Bienvenus, Lafont, Duplasy and Janis of Kaskaskia, and J. Bte. Barbau, who controlled Prairie du Rocher. How Rocheblave was regarded at Cahokia is not known. The captains of militia, Joseph Cesirre and François Trottier, had not chosen to participate in the court, which the acting commandant called to clear himself of the charges made by Bentley; but this may have been due to hindrances rather than choice. The men composing this party were among the most intelligent of the villagers; they had all given their support to the demand for the civil government from the British in 1770, and among them were the officers of the militia, as Duplasy, Janis, and Barbau.

[1] The above analysis of the conditions in Illinois in the year 1778 is based upon hints from many sources and events which followed the arrival of George Rogers Clark, so that it is impossible to refer to any one document or group of documents as proof. The statement of the French to Clark in regard to their ignorance of the cause of the struggle is in Clark's letter to Mason and his *Memoir*, English, *Conquest of the Northwest*, i., 417 and 480. In the *Memoir*, (p. 475) Clark intimates that he found some of the French inclined to the American cause. Cerré, of whom I speak below, is one of the men who claims not to have had the opportunity to understand the cause for which the Americans struggled, but no one can read the letter written him by Monforton on Sept. 22, 1778, without believing that Cerré's

The mass of the *habitants* were probably on the side of the government.[1] Illiterate and unintelligent, they were willing to accept conditions as they found them without attempting to bring about a change; and, besides, obedience to the constituted authorities was part of their nature. There were, however, several of the richest and most prominent Frenchmen upon whom the acting commandant could count, whose loyalty to the British cause and Rocheblave was far stronger than the attachment of their opponents to the opposition. Among these were Gabriel Cerré, Louis Viviat, and Nicolas Lachance of Kaskaskia. Viviat should, perhaps, not be counted at this time, for he died in the fall of 1777; but up to the time of his death, he was one of the most important traders of the region and had been in partnership with William Murray. He was the member of the Wabash Land Company who acted as the agent in the purchase of its claim. He had, however, severed his connection with Murray just previous to his death, because of the acts of Daniel Murray, who was particularly lawless. Throughout the prosecution of Bentley by Rocheblave, Viviat had given the latter his support.[2] Of Lachance little at this time is known except that he was accounted a friend of Rocheblave.[3] Unquestionably the most important member of the government party was Gabriel Cerré. He was forty-four years old and had been in Kaskaskia since 1755. Through his personal wealth and commercial connections, he exercised an influence over the villagers second only to that of the commandant, with whom he was on terms of intimacy. It is quite possible that his trading interests brought him into oppo-

correspondent gave him credit for an intelligent understanding of the claims of the two parties. (*Can. Archives*, B., 122, p. 161.) Daniel Murray in writing to Bentley on May 25, 1777, gives the following proof of the existence of parties among the French: "As to your being complained of already to General Carleton you need not dread that, for since your departure Rocheblave drew out a complaint against you and wanted all the principal Inhabitants to sign it which they all absolutely refused to do, particularly the Charlevilles, Bienvenue, Lafont, Plassey, Janist, etc., no doubt but your friends Viviat Cerré Lachance might have done it but they are too few to countenance it when so many refused to do it." (*Mich. Pio. and Hist. Col.*, xix., 417.) Scattered through the *Court Record*, *Kas. Rec.* are other indications of party divisions.

[1] Clark in his *Memoir* says that the majority of the inhabitants were friendly to Cerré, the leader of the British party. English, *Conquest of the Northwest*, i., 485.

[2] *Kas. Rec.*, *Court Record*. See also *supra*, p. xxx.

[3] See *supra*, p. xxxvi., note 1.

sition to the Americans and that self interest bound him to the British side.[1]

Rocheblave never deceived himself in regard to the weakness of his position, and several times urged upon Governor Carleton the appointment of a commandant and the sending to the Illinois of British troops, a recommendation which proves his interest in the cause he upheld and his own disinterestedness. His letters are full of such expressions as these: "I await with the greatest impatience the orders of your excellency, or rather I beg of you to give them to some other person, a native Englishman, in order to escape the too common jealousies of some, who having merely the name, and whose affections are all for the Americans, are seeking to thwart all my efforts, intriguing with our neighbors and poisoning with the venom of their hearts the purest intentions. . . . . All the alarms I have sought to give will be only too well realized. We are upon the eve of seeing here a numerous band of brigands who will establish a chain of communications which will not be easy to break, once formed. If by the schemes of the Spanish the Natchez are conquered, there will be established an armed force in this country. You have no time to lose to prevent this misfortune. If militia can be counted for anything at present a person of discretion with troops would attract more adherents than would be believed. Inclination is in spite of abandonment and distress, still for the government, but it is more than time to revive their drooping courage or all will be lost here."[2] The British government planned at one time to relieve him and appointed, in 1777, Matthew Johnson lieutenant-governor of the Illinois; but for some reason he never went to his post,[3] and Rocheblave was compelled to face the event concerning which he had given so frequent warnings, and to learn that the party of his opponents was stronger in a crisis than his own.

[1] For an account of Cerré, see p. xx., note 2.

[2] Rocheblave to Carleton, July 4, 1778, translated in Mason, *Rocheblave Papers*, Chi. Hist. Soc.'s. *Collections*, iv., 416.

[3] *Can. Archives*, B., vol. 46, p. 95. From Murray's letter to Bentley, May 25, 1777, it is learned that the new governor was expected at Kaskaskia, *Mich. Pio. and Hist. Col.*, xix., 417.

INTRODUCTION

The American attack on the villages of the Illinois did not come about in the way that the inhabitants and Rocheblave had anticipated. They had been led to look for an expedition sent by the united colonies and directed by George Morgan against the whole line of posts extending from Detroit to Kaskaskia; but what actually occurred was that one of the revolting states, Virginia, sent an isolated detachment under a pioneer of Kentucky to revenge the British and Indian attacks on her frontiers.[1] The immediate occasion of this expedition was the rapid colonization of Kentucky during the last four years, and the danger to the new settlements from the detachments of Indians sent by Lieutenant Governor Hamilton of Detroit. To the Kentuckians the whole territory north of the Ohio River appeared the breeding ground of these Indian incursions into their territory. The conception of an attack upon the Illinois was due to the genius of one man, George Rogers Clark, who clearly perceived that the holding of Kentucky depended on checking the British power to the north. He laid his plan before the governor and council of Virginia, by whom it was approved.[2] He then proceeded to raise his troops, keeping the destination of the expedition as secret as possible. Had he taken into consultation George Morgan or some of the men associated with him, he could easily have put himself into communication with the American party in the Illinois. On account of this silence he never fully understood the conditions existing in the French villages. He had preferred to work by himself and had collected his own information. In 1777 he had sent two spies, S. More and B. Linn, to Kaskaskia to investigate the situation. They remained in the villages some time, giving themselves out as hunters; but they failed to get into communication with the leaders of the opposition to Rocheblave, because Clark had not informed even his spies of his

[1] See the statement of the people of Cahokia concerning their idea of Clark's troops, this volume, p. 539. I have found no evidence that George Morgan had any knowledge of Clark's undertaking.

[2] This is not the place for an account of military actions, nor have I considered it necessary to repeat what is contained in Clark's own narratives, which have been so frequently exploited by historians and novelists that they are very familiar. His *Letter to Mason* and his *Memoir* have been printed in English, *Conquest of the Northwest*, i., 411 *et seq.*

purpose.[1] It was evidently expected by the American traders of Kaskaskia that they would learn something from these Kentucky hunters, for Bentley, who was absent, wrote to Murray concerning them; but the latter answered: "As to the hunters you write of there is three of them, one of them was here before, his name Benjm Lynn, but they bring no news that I can hear of worth reporting."[2] According to Clark's account of their investigation given to Patrick Henry, the governor of Virginia, they reported that: "The principal inhabitants are entirely against the American cause, and look on us as notorious rebels that ought to be subdued at any rate, but I don't doubt but after being acquainted with the cause they would become good friends to it."[3] There has been preserved, however, another account according to which they reported that there were: "Strong traces of affection for the Americans, among some of the inhabitants."[4] There is also a tradition that Linn was warned by a trader of an attack planned by some Indians against himself and companion.[5]

The history of Clark's journey down the Ohio, of his landing near Fort Massac, and of the march across the prairies is so well known that it need not be retold; but the events occurring at Kaskaskia which made his success possible are less familiar. The states had sent down the Mississippi, in the spring of the year, an expedition under Willing to make attacks on the British posts in the south. The course of this expedition, Rocheblave had followed with interest and, as he heard of the depredations Willing made upon property, he published the accounts to the villagers in order to cause them to fear for their own.[6] When he learned that another expedition was on the Ohio directed against the Illinois, he connected it with the Willing raid and saw in it an attempt on the part of the Americans to gain control of the whole stretch

[1] Letter by Clark, *Amer. Hist. Rev.*, viii., 492.

[2] Murray to Bentley, May 25, 1777, *Mich. Pio. and Hist. Col.*, xix., 417. There is a slight mistake in the date given by Clark who says he sent them in June.

[3] Letter by Clark, *Amer. Hist. Rev.*, viii., 492.

[4] Butler, *History of Kentucky*, 46.

[5] Tradition preserved in Linn's family, *Dr. MSS.*, 18J51.

[6] Mason, *Rocheblave Papers*, in Chi. Hist. Soc.'s *Collections*, iv., 408, 410. 412 *et seq.*

of the river. This news of the approach of Clark did not reach him much before that officer was at the falls and possibly not before he had landed at Massac creek. Rocheblave immediately ordered out the militia to make preparations for resistance; but he soon learned the strength of the party opposed to him, for the American traders in Kaskaskia either persuaded the inhabitants not to attempt repelling the invaders, and in this they were aided by the Spanish emissaries, or else they quieted the fears of an attack. Whatever occurred, Rocheblave found that he could accomplish nothing, for his government was by persuasion rather than by command, and the militia officers were members of the party that gave lukewarm support to the British and was half inclined to the American cause. Unfortunately for Rocheblave, his chief supporters were not with him at this crisis; Viviat had died in the preceding fall, Lachance had recently been taken prisoner,[1] and Cerré had just started with some furs for Michillimackinac. Hoping that the sight of a reinforcement coming to their assistance might arouse the inhabitants, Rocheblave sent a messenger to summon the militia from Vincennes; and M. Legras actually started with forty men from that village to assist Kaskaskia. The message had come too late, however, for Clark landed at Massac creek, marched across country, and cut off any help which might be rendered from the Wabash. Thus the crisis, which Rocheblave had been prophesying, arrived, and he found himself unable to make any resistance.[2]

[1] Rocheblave to Bosseron, April 25, 1778, Mason, *Rocheblave Papers*, in Chi. Hist. Soc.'s *Collections*, iv., 408.

[2] The above account is an attempt to explain in the light of the knowledge of conditions just previous to the attack the following passage in a letter from Rocheblave to Carleton, dated April 3 [evidently miscopied for August 3], 1778. The translation is from Mason, *Rocheblave Papers*, Chi. Hist. Soc.'s *Collections*, iv., 418. "Sir: I steal a moment from my guards in order to have the honor of informing your excellency that the night of the fifth or [and?] sixth of July last three hundred rebels under the orders of Mr. Clerke [*sic*], the self-styled Colonel, arrived here where they have made me prisoner.

"The majority of the inhabitants knowing the manœuvres which had occurred in the lower part of the Mississippi were resolved to defend themselves, but the dealings of our neighbors, the Spaniards, and the abuse of the treacherous English, especially those named Daniel Murray, Richard Winston, and John Hanson, prevented them from doing it. There remained to me for a resource Mr. Legras, who prepared himself with forty men to come and join me from Fort Vincennes, where he is a captain of militia, but the rebels having landed on the beautiful river [Ohio], sixty leagues from here, crossed the neck of land which separates that river from this place, and prevented that. I regret so much the more that he did not arrive, as a number of men on seeing me supported would have joined themselves to us, and we would have been able to hold the balance of affairs in opposition to those who were desti-

Whether Clark and the American traders of Kaskaskia communicated with each other before the attack in the night of July 4th and 5th, is very doubtful. We have seen that, before setting out from Fort Pitt, Clark knew of no party in the village that was ready to give him assistance; but he may have heard of the American partisans from that party of hunters, just from Kaskaskia, who met him at the Tennessee River, although from his own account their information was anything but reassuring; or Murray and his associates may have communicated with him as soon as he approached the village. There is some slight evidence that the capture of the village was made less difficult by the aid of some of the inhabitants; for Clark seems to have found no trouble in procuring boats to convey his troops across the Kaskaskia River;[1] and, if the tradition is trustworthy, his soldiers were admitted to the fort and guided to the bedchamber of Rocheblave by a Pennsylvanian, who may have been Daniel Murray.[2] Clark himself says that provisions were

tute and in extremities." In 1780 Rocheblave gave a similar explanation of his failure to defend the Illinois, *Can. Archives*, B., 122, p. 545.

Since Clark himself says "that they had some suspicion of being attacked and had made some preparations — keeping out spies — but they, making no discoveries, had got off their guard" (Letter to Mason, English, *Conquest of the Northwest*, i., 416) and, "we were informed that the people, a few days before, were under arms, but had concluded that the cause of the alarm was without foundation, and that at that time there was a great number of men in town, but that the Indians had generally left it, and at present all was quiet" (*Ibid* p. 476), there appears to be no good reason for rejecting the testimony of Rocheblave. It is to be noticed also that the Cahokians write as if the Kaskaskians chose not to defend their village. See *post*, p. 537. The chief difficulty in reconciling Rocheblave's account with other known facts lies in his own letter of July 4th, which gives a long narrative of the depredations of the Willing expedition on the southern Mississippi and only makes a brief mention of the expected attack on Kaskaskia i. e., "We are upon the eve of having here a numerous band of brigands."

Historians have followed too exclusively and uncritically the narratives of Clark, who was fond of the dramatic, not to say the melodramatic, and who never hesitated to omit details which would affect what he regarded as the dramatic *dénouement*. Like other frontiersmen he never underestimated his own deeds, and after a careful comparison of the letter to Mason with the Memoir, one is forced to believe that he was given to exaggeration. Therefore it is not surprising that he did not make more of the persons and conditions which made the occupation of Kaskaskia easy and that he emphasized the surprise of the place, since that appealed to his dramatic instincts. Mason in his paper on Philippe Rocheblave (Chi. Hist. Soc.'s *Collections*, iv., 373) uses the letter quoted above, but does not attempt to give any explanation of it. I have not noticed an attempt to explain this letter by any other historian of this event. See Winsor, *Nar. and Crit. Hist.*, vi., 719; English, *Conquest of the Northwest*, i., 168; Roosevelt, *Winning of the West*, Pt. ii., ch. iv.

[1] He says, "We marched after night to a farm that was on the same side of the river, about a mile above the town, took the family prisoners, and found plenty of boats to cross in, and in two hours transported ourselves to the other shore with the greatest silence." (Letter to Mason, English, *Conquest of the Northwest*, i., 416.) If he really found these boats on the east bank of the Kaskaskia, how did they happen to be there, since very few people were living on that bank at the time?

[2] Reynolds, *Pioneer History*, 73. The passage is: "An American, a native of Pennsylvania, was there in the Fort and conducted Kenton and his small party into the Fort by a

collected for his troops by Murray and Winston during the night.[1]

It is evident from the narratives of Clark and Bowman and from the letters of Rocheblave that the inhabitants and the commandant himself had not expected the attack so soon. On the day before the attack Rocheblave wrote to Carleton: "We are upon the eve of seeing here a numerous band of brigands,"[2] but the whole tone of the letter proves that by the "eve" he did not mean that very night. In the letter sent after the capture of the village, he writes as if he had expected that there was plenty of time to send to Vincennes for aid, after he had learned of Clark's movements; and as if he had been disappointed in his hope of assistance, because the Virginians had made a forced march by land. This looks as if he had expected the party to take the customary route down the Ohio and up the Mississippi. If Clark had followed this course, the time would have been ample for Rocheblave to obtain reinforcements from Vincennes.[3]

What the feelings of the majority of the French people were when they heard the warwhoop of the frontiersmen in their village streets, can be easily imagined. Since the time of the attack was a surprise and the less intelligent French had been taught to believe the worst of the "Big Knives," the first fear of the majority has probably been correctly depicted by Clark. Many of the more intelligent, who had supported Rocheblave, must have felt terror at hearing the noise and have had misgivings of the future, which would place in power Murray, Winston, and Kennedy, whom they had learned to regard as their enemies. Others, like Father Gibault, who were acquainted with the hostility of the Protestant East to the Roman Catholic Church, feared perhaps that the freedom of worship might be denied them. After all allowance has been made for such causes as these and

small back gate..... The Pennsylvanian was true to liberty and conducted them to the very bedchamber of the sleeping Governor, Rocheblave."

[1] In his *Memoir*, English, *Conquest of the Northwest*, i., 478.

[2] Rocheblave to Carleton, July 4, 1778, Mason, *Rocheblave Papers*, Chi. Hist. Soc.'s *Collections*, iv., 416.

[3] See letter quoted on p. xli., note 2.

the suddenness of the attack, Clark's narrative of the abject terror of the French people still appears somewhat exaggerated. They were without doubt timid, but they were not poltroons. Besides, they saw several familiar faces among the Virginians, some of whom had been in Kaskaskia, and others they had met on trading trips.

The party strife of the village broke out in Clark's headquarters on the very night of the attack. The closest adherent of Rocheblave's faction, Gabriel Cerré, was absent from the village, and his enemies tried to win the favor of Clark by making accusations against him; but Clark was not deceived. He recognized that his position was critical. He was in an alien community and had only a small body of troops with which to hold the people in check. Under such circumstances he could not afford to drive the leader of such a strong party from him. How important he regarded the winning of the support of Cerré and his party is proved by the space he devotes in his *Memoir* to an account of his relations with this leader.[1] He finally confronted Cerré with his accusers, and the latter were afraid to repeat their charges. By this diplomatic conduct he won over the man who could bind the discordant elements in the villages to his side.

The chief means used by Clark to gain the good will of the French at this critical time were the French treaty and the cry of liberty. We have already seen that the words liberty and independence were not wholly unknown in these regions. To assert that the movement which was growing in France and which was in eleven years to break out in the French Revolution was without effect on the banks of the Mississippi would be taking too much for granted. The best of these men were educated and traveled to New Orleans and Quebec, and what was talked of there was repeated by the firesides of the Illinois. Only ten years before their friends of New Orleans were in revolt against Spanish tyranny,[2] when the word liberty became a household term; and two years later the French of the Illinois were making use of the

[1] English, *Conquest of the Northwest*, i., pp 477, 478, 481, 484–486.

[2] Phelps, *Louisiana*, 113

same word in their struggle with Colonel Wilkins.[1] The traders from the East had been full of similar ideas during the past few years. Liberty and independence were words with which to fire the imaginations of the French and to make them dream of things to come.

The French treaty was Clark's trump card in the game he was playing; for the word France awakened in the minds of the Kaskaskians memories of days gone by, always more joyous than the days of present hardship,— those days when the lilies of France waved over the forts of the Illinois. France is a name of wonderful meaning to Frenchmen of all times. The people of Illinois felt its charm and, at a later day, said "when these men once pronounced the name of France, how could they raise their hands against them?"[2] Just previously rumors had been spread up and down the Mississippi that France was coming into her own again, ridiculous reports no doubt spread by those discontented with the British rule, and yet they aroused in the hearts of the French a hope, of which the appearance of Clark seemed a harbinger.

It was not with rifles and swords that Clark won the Illinois, but with the promise of liberty and the alliance with France. These two weapons were all sufficient. Immediately after the occupation of Kaskaskia Clark sent Bowman with a detachment of thirty men to occupy Cahokia, which yielded readily to the same persuasions.[3] Vincennes joined the American cause without even the use of troops, for Father Gibault undertook to persuade the people to submit, which they did after their priest had represented the case to them.[4] In their first enthusiasm the French furnished the Virginians with all their necessities and their need was great, for they had reached Kaskaskia, as the inhabitants of Vincennes said, "half naked like the Arabs."[5] But the spirit

[1] Mason, *Chapters from Illinois History*, 281 *et seq.*

[2] See *post*, p. 537.

[3] Bowman's letters in English, *Conquest of the Northwest*, i., 558 *et seq.*; the Cahokian account in this vol., p. 537.

[4] Clark's Letter to Mason, English, *Conquest of the Northwest*, i., 419.

[5] Inhabitants of Vincennes to De la Balme, *Menard Col., Turd. Papers.*

in which the French received the Americans is best seen in the way they aided in defending the country against the British. In December following the occupation of the Illinois by Clark, Lieutenant Governor Hamilton of Detroit retook Vincennes and threatened the other villages. At no time had Clark's position been so dangerous, for he had neither money nor sufficient troops. With him were only two companies of soldiers, in which some of the French had already enlisted. Since these were too few either to hold his position or to make an attack, he called upon the villages; and two companies of Frenchmen were formed. The merchants of the region raised the necessary money. Clark then made his difficult and dangerous march across the submerged prairies, a march which tried to the utmost the endurance of the men. The conquest of Vincennes and the retention of the whole Northwest for the Americans were the results. More than half of the men who followed him so bravely were inhabitants of the American Bottom.[1] To the French soldiers in Clark's little army as well as to the Virginians belongs the honor of that campaign and its consequences.

After the submission of the villages to him, Clark found himself in command of a large country inhabited by a people who had joined themselves willingly to his cause and to whom he had promised greater liberty than they had hitherto enjoyed. From the first he was called upon to exercise the power of commandant and judge. He continued for a time the custom, followed by the last two British representatives, of appointing arbitrators in all cases of dispute between the inhabitants.[2] This, however, was not in accordance with his own ideas of self-government, which were those of the West generally, nor did his many military duties permit him to give that attention to civil affairs that was required. He therefore made other arrangements. He writes that he

[1] *Va. State Papers*, i., 316; Letter to Mason, English, *Conquest of the Northwest*, i., 437. The expedition against Vincennes was evidently financed by the inhabitants of the French villages, from whom Clark raised $11,102 between December 20th and February 5th. Clark's account against Virginia, in English, *Conquest of the Northwest*, ii., 1054.

[2] *Kas. Rec. Court Record*, fol. 100. Letter by Clark, July 24, 1778, in *Amer. Hist. Rev* viii., 501.

caused: "a court of civil judicature to be established at Cahokia, elected by the people. Major Bowman, to the surprise of the people, held a poll for a magistracy, and was elected and acted as judge of the court. [The policy of Mr. Bowman holding a poll is easily perceived.] After this similar courts were established in the towns of Kaskaskia and Vincent."[1] The title of the court thus founded at Cahokia was the "Court of the Committee of Cahokia," and a few pages of the records of its sessions have been preserved and are printed in this volume.[2] Clark reserved the right of appeal to himself and he adds: "I believe that no people ever had their business done more to their satisfaction than they had through the means of these regulations for a considerable time."[3] By an examination of the few remaining records it is possible to arrive at an approximate date for the founding of these courts. The date of the earliest paper which has been preserved issuing from the court at Cahokia is October 29, 1778.[4] Among the *Kaskaskia Records* is a court record, the last pages of which were used by the clerk of the British government and later by the clerk of the Virginia government for recording deeds and other instruments. The first entry in it after the date of the occupation of Kaskaskia by Clark was made on October 20th. The last direct petition to Clark that exists is dated August 27.[5] Therefore it must be concluded that the courts were established between the last of August and the last of October. But it is possible to make a closer calculation. Since it is probable that an entry was made by the Kaskaskia clerk in his book of record shortly after the machinery of civil government was started, we may take the date October 20th as approximately the date of the establishment of the court at Kaskaskia; and since that at Cahokia was the earlier, the court of that village must have begun

[1] Clark's *Memoir*, English, *Conquest of the Northwest*, i., 484. The sentence in brackets is added from *Dr. MSS.* 47J35.

[2] Pp. 2 *et seq.*

[3] Clark's *Memoir*, in English, *Conquest of the Northwest*, i., 484.

[4] See *post*, p. 2.

[5] See *post*, p. 1

to hear suits about the middle of the same month and possibly a little earlier.[1]

These courts were modeled after the county courts of Virginia, with some modifications. The number of justices sitting at Cahokia was seven, four of whom were necessary for a quorum; the sessions were held weekly; the jurisdiction included both criminal and civil cases; the records of the sessions were kept in English.[2] Since the members of this committee were elected by popular vote, the first election of chief magistrates ever held on the soil of Illinois or of the old Northwest was that at Cahokia in the month of October, in the year 1778.

During the last few years disorder and crime had increased in the Illinois. We have seen how Rocheblave lacked the power to enforce good order and had appealed to public opinion without effect to put an end to the trading in liquor with the Indians. But it was not from the depredations of the Indians only that the people suffered. Members of the slave class, influenced by the disorders of the times, had become insolent and violent, so that the fear of the large population of red and black slaves was widespread, and with good reason, for many murders had recently been committed, for which the slaves were suspected of being responsible. Members of the family of the Nicolle had become sick and died under the most suspicious circumstances, and several sudden deaths of both whites and blacks had occurred which gave every evidence of being caused by poison. To stop further lawlessness by this class, Clark published a very stringent order against the slaves on December 24, 1778, in which he forbade them to walk the streets after sundown without a special permission from their masters, or to assemble for dances at night, under

[1] It is possible that Clark was mistaken about the establishment of a court at Kaskaskia, for among all the records that have been preserved there is not one issuing from such a court, or one that gives direct evidence of the existence of such a court. Moreover there has been preserved a petition, dated February 18, 1779, from a widow in regard to her husband's estate, in which she gives elaborate reasons for not having troubled Colonel Clark during his presence in Kaskaskia, and states that conditions are now such that she must have protection to save her property. Since Clark was away, she applied to the officers of militia of Kaskaskia. These heard her prayer and granted the protection. The act was signed by the officers, but not as members of a court. One name has been torn off, but the others are Joseph Charleville, Richard Winston, Charles Danis, and Charles de Lisle acting for Duplasy. *Kas. Rec., Petitions.*

[2] See record of the court, pp. 4 *et seq.*

penalty of punishment by flogging.[1] All persons were forbidden to sell liquor to slaves. In the court of Cahokia an investigation of the death of the Nicolles was begun. This was not ended until the following June, when it was proved that some slaves, of whom two were particularly guilty, had poisoned a number of whites as well as several negroes.[2]

Of this first experiment in popular government in the Illinois very little can be said, for almost all its records have been destroyed. The character of Clark, the order he preserved or tried to preserve, and the expedition with which justice was administered, no doubt made the government generally popular; still the military power was very evident and at times arbitrary, and the soldiers were becoming unruly. Therefore the French looked forward to the time when a civil government, not so dependent on the military force, should be inaugurated. The people were reasonable, however, and recognized the necessity of these temporary arrangements, and in their first enthusiasm exhibited a tractable and united spirit to their commandant. In justice to Clark it must be said that neither at this time nor later, when there was most just cause to criticise the military force, did the French utter a word of complaint against him, for he had won, not only their esteem, but their affection, so that they never held him responsible for the evils that crowded upon them.

One cause for uneasiness developed very soon among the people. In the first excitement over their change of allegiance and under the influence of that enthusiasm which was aroused by the talk of liberty and independence by Clark and his soldiers, they had been ready to make many sacrifices for the cause they had espoused. At first they gave freely of their goods, and later sold them to the patriots, who had brought them this "priceless gift", and received in return continental paper money, which they were assured by Clark and his officers was equal in value to the Spanish *piastre*, or else drafts on the treasury of Virginia or the Virginia agent at New Orleans, Oliver Pollock.[3] At the time

[1] *Kas. Rec., Court Record*, fol. 132.

[2] The papers in the case are printed in this volume, pp. 13 *et seq.*

[3] Every petition of the French people mentions the fact that they were deceived by the

the paper money was worth about twelve cents on the dollar, and the French were to learn that many of the drafts were worthless. The suspicions of the inhabitants were not aroused until early in 1779, while Clark was absent on the Vincennes expedition. Speculation in continental money was very common throughout the East and every advantage of variation in its value was used by the traders. It is not surprising, therefore, that the story of Clark's dealings in the Illinois were soon known by these men, who, tempted by the opportunity of purchasing goods with continentals at their face value, rushed into the region. They reached the French villages in the early spring of 1779, and in their eagerness to make the utmost use of the opportunity, they bid against each other with the result that the confidence of the French was lost and the value of the paper tumbled.[1] In speaking of this event, Clark says: "There is one circumstance very distressing, that of our own moneys being discredited, to all intents and purposes, by the great number of traders who come here in my absence, each outbidding the other, giving prices unknown in this country by five hundred per cent, by which the people conceived it to be of no value, and both French and Spaniards refused to take a farthing of it. Provision is three times the price it was two months past, and to be got by no other means than my own bonds, goods, and force."[2] There was another reason for the appreciation of the price of supplies. By the arrival of

Virginians in regard to the value of the paper money. See Cahokian Memorial to De la Balme, printed in this vol., p. 547, also page 6; from the memorial of the people of Kaskaskia to the Virginia commissioners, March 1, 1783, is taken the following passage: "But on account of the honest appearance of General Clark and of his officers and because they assured us that they had orders to draw on M. Oliver Pollock, agent of the state of Virginia at New Orleans, there was no difficulty in obtaining all they needed for a specie in current paper, which was scattered in quantities both on this bank and the Spanish at the value of metalic *piastres* of Spain and all our supplies have been sold at the same rate and conditions . . . . and since we could not believe that an officer in accordance with his orders would leave us ignorant of the fact that this money was depreciated, we have received it at its intrinsic value." (*Menard Col., Tardiveau Papers.*) In a memorial to the governor of Virginia the same people said: "The suppliants have furnished all the necessary provisions to the troops at a sufficiently moderate price and have been paid with a paper money and letters of exchange which we were assured were equal in value to the Spanish *piastre*." (*Ibid*, memorial dated May 4, 1781.) The people of Vincennes in a petition to the governor of Virginia, June 30, 1781, wrote: "The accredited officers of finance and others have assured us that continental money was of equal value with coin, and we accepted the same in good faith." (*Va. State Papers*, ii., 192.)

[1] See *post*, p. 6.

[2] Clark to the Governor of Virginia, April 29, 1779, in English, *Conquest of the Northwest*, i., 400.

the Virginians all open trade with Canada had been stopped and, since that country was one of the chief sources from which the inhabitants drew their goods and to which they sold their furs, commerce became stagnant and commodities scarce.[1]

The credit of Clark's government was supported at this time by the merchants and traders of Illinois. He says: "Several merchants are now advancing considerable sums of their own property, rather than the service should suffer, by which I am sensible they must lose greatly, unless some method is taken to raise the credit of our coin."[2] The merchants who gave this timely aid to the American cause were Daniel Murray, Winston, Janis, the Charlevilles, the Bauvais, Duplasy, and Bienvenu, of Kaskaskia; Barbau of Prairie du Rocher; Godin, Trottier, Girault, LaCroix, Gratiot, and McCarty of Cahokia; LeGras, Huberdeau and Bosseron of Vincennes, and Vigo with possibly others of St. Louis.[3] The state of Virginia had undertaken more than she could perform, since her treasury was exhausted and her credit gone, so that Clark never received the financial support that he needed; and he and his officers were in time forced to use that expediency which made the Thirty Years War in Germany so frightful, namely that of compelling the people to support them. This last resort had not become necessary in the spring of 1779, at least it was not officially recognized; for the French were still ready to make herculean sacrifices for the cause which they had accepted and to furnish supplies on the doubtful credit of the state; but the time was fast approaching when they would demand a settlement.

[1] *Va. State Papers*, iii., 501.

[2] See *supra*, xlvi., note 1.

[3] Clark's account against Virginia, in English, *Conquest of the Northwest*, ii., 1040 *et seq.* The list of names is not complete since I have been unable to identify several as spelled by Clark and because drafts were drawn by other officers besides Clark and these would not appear in his account. In fact, the list of those who at this time or later furnished supplies on credit is a very long one, including almost every man of property in the Illinois. Gratiot of Cahokia, Cerré of Kaskaskia, and Vigo of St. Louis have always received due credit for the assistance they furnished, but they were no more active than the other members of the French villages. In the end these three never suffered from their efforts at this period as severely as did many others. Richard Winston, who at the time of the coming of Clark was regarded as wealthy, died in poverty; and the Bauvais family was reduced to almost the same extremity. These are only two instances among many.

While Clark had been regulating the affairs of the Illinois, the news of his great success had been received with rejoicing at Williamsburg, and the government of Virginia began preparing for some more permanent form of civil establishment for her new citizens. The territory north of the Ohio River lies within the region which Virginia claimed as hers under her charter granting the land from sea to sea. According to the Virginia interpretation of that charter, the state was fully within her rights in legislating for that territory, to which her troops had just given her another title.

On the 19th of November, 1778, a committee was appointed by the legislature to draft the requisite bill, which was introduced on the 30th and passed both houses on December 9th.[1]

The civil establishment thus created for the region was the same in its essential character as that which Virginia had used in her expansion westward, the county government. Kentucky had but a few years before received a similar organization. This new territory, which included all that Clark actually held, stretched from the Ohio to the Illinois River and up the Wabash towards Detroit to an indefinite boundary. Ouiatanon was certainly under the jurisdiction of Virginia, but beyond that post and the Illinois River there is no proof of her exercising jurisdiction. The land lying between this northern boundary and the lakes was disputed territory and was traversed by Virginia and British troops at various times.

The government of the "county of Illinois", as it was called, was temporary in character and was given force at the time of its enactment for only one year and then to the end of the next session of the legislature. On account of the difference in the population Virginia law was not fully extended to the new county.[2] "On account of the remoteness of the region," so runs the preamble of the act, "it may be difficult, if not impracticable, to govern it by the present laws of the commonwealth, until proper infor-

[1] The act is reprinted in this volume, p. 9. The history of the act is given in note 1 of the same page.

[2] For a discussion of how far the laws of Virginia were extended to the Illinois, see *post*, p. lxii.

mation, by intercourse with their fellow citizens, on the east side of the Ohio, shall have familiarized them to the same, and it is therefore expedient that some form of government adapted to their circumstances should in the meantime be established." The chief executive officer and commander of the militia was the county lieutenant, or commandant. He was empowered to appoint as many deputy commandants, militia officers, and commissaries as he found necessary. The civil officers were to be the same as the inhabitants were accustomed to, and they were to administer the law which was in force in the region already, that is, the *coutume de Paris*. Officers, created by the lieutenant, to which the inhabitants were unaccustomed were to be supported by the Virginia treasury, the others by the people. Both military and civil officers were required to take the oath of office according to the religion to which they were accustomed. The people were given assurance of the free exercise of their religion. The power of the court to be established and of the county lieutenant was limited in actions for treason and murder to the same extent as it was in all counties of Virginia.[1] In such cases the lieutenant was permitted to stay execution until the opinion of the governor or the assembly had been obtained.

On December 12, 1778, and in accordance with this act, Patrick Henry commissioned John Todd county lieutenant. For such a difficult and important position Todd seemed as good a candidate as was available. His ancestry was Scotch-Irish, one of his ancestors having fled from Scotland to escape the persecutions of Claverhouse. His grandfather had come to America in the year 1737, when Todd's father was still in his youth, and had settled in Montgomery County, Pennsylvania. From his mother Todd inherited Welsh blood. His education had been exceptionally good. His uncle, also named John Todd, was a well-educated man, having graduated from Princeton in 1749, and was a minister in Louisa County, Virginia, where he kept a classical school. It was at his uncle's school that the future county lieutenant was educated. Afterwards he studied law and practiced a short time.

[1] Chitwood, *Justice in Colonial Virginia*, 82.

But the attraction of the frontier life was in his blood, as it was in that of so many other young men of his time, and at the outbreak of the Dunmore's War he became aid to General Lewis. In the following year he made his way among the first settlers to Kentucky and was present at the meeting which was held to establish the government of the proprietary colony of Transylvania. In 1777 he was elected burgess from the county of Kentucky to the general assembly of Virginia. The duties of this office prevented him from taking part in Clark's expedition to the Illinois.[1] In appearance Todd was far from imposing. He was only five feet six inches in height, but was reputed the swiftest footman of his day and excelled in all forms of gymnastics. Like Clark and most of the leaders of the western movement he was still a young man, being at the time of his appointment twenty-eight years old. His experience, however, had been on the frontier; he was accustomed to the American type of pioneer, and was personally brave and a good Indian fighter. He united with these qualities a knowledge of law and a culture superior to that of any other man in the West. His education and his character seemed to fit him for the task before him. But the events in the Illinois were already approaching a crisis, brought on by the clash of Anglo-Saxon and Gallic temperament; the unity of feeling and the glow of enthusiasm aroused by the shouts of liberty and the huzzas for the French alliance were already changing, and the French were beginning to count the cost of the transference of their allegiance; criticism, denunciation, and open opposition were ready to break forth. Under such conditions was the experience of twenty-eight years sufficient to enable Todd to master the situation?[2]

The instructions given him by Governor Henry were wise and suited to the occasion: "Altho Great reliance is placed on your prudence in managing the people you are to reside among, yet consider'g you as unacquainted in some Degree with their Genius,

[1] The Todd on the expedition was his brother, Levi. English, *Conquest of the Northwest*, ii., 951.

[2] For the life of Todd see, Green, *Historic Families of Kentucky;* Morehead, *Settlement of Kentucky*, 174; Mason, *Chapters from Illinois History*, 252.

usage, and maners, as well as the Geography of the Cuntry I recommend it to you to consult and advise with the most intelligible and upright persons who may fall in your way . . . . and I know of no better Gen[l] Direction to Give than this, that you Consider yourself at the head of the Civill department. and as Such having the Comm[d] of the militia, who are not to be under the comm[d] of the military, untill ordered out by the civil Authority, and to act in conjunction with them. . . . . .

"You are on all Accatons to inculcate on the people the value of liberty and the Difference between the State of free Citizens of the Commonwelth and that Slavery to which Ilinois was Destined. A free & equal representation may be expected by them in a little Time, together with all the improvm[ts] in Jurisprudence and police which the other parts of the State enjoy. . . . . .

"The Ditaile of your Duty in the civil Department I need not give you, its best Direction will be found in y[r] innate love of Justice and Zeal to be intencively usefull to your fellow-men. A general Direction to act according to the best of y[r] Judgment in cases where these Instructions are Silent and the laws have not Otherwise Directed is given to you from the necessity of the case, for y[r] Great Distance from Governm[t] will not permit you to wait for Orders in many Cases of Great Importance."[1]

Clark received Todd with joy, for they were good friends; but a greater reason was that he found the task of superintending the civil department and at the same time of making the needed preparations for the contemplated attack on Detroit in the summer too difficult.[2] The fussy details of the former were annoying to a mind like Clark's which was only aroused to its best by the excitement of some bold military undertaking.

Todd reached the Illinois in May, 1779. One of his first duties was to organize the militia. There was little to be done, for Clark had maintained the military organization which he found in existence and had confirmed the appointments of the officers already in command. Todd now reconfirmed them under the

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 289 *et seq.*; *Va. State Papers*, i., 312.

[2] Clark's Memoir, English, *Conquest of the Northwest*, i., 449.

authority conferred on him by the act of the Virginia legislature. As far as the records show neither Clark nor Todd made many changes in the personnel of the militia. Under the British rule the officers had been selected from the most prominent men of the community, and the new government could not afford to alienate them. A few changes were made by one of the Virginians in Kaskaskia, where Richard Winston, an American trader, was made commandant, Nicolas Janis and Joseph Duplasy were retained, and Brazeau was not given a commission.[1] There could be no thought of change at Prairie du Rocher, where J. Bte. Barbau had been chief citizen for years.[2] At St. Philippe a commandant was also appointed, probably Pierre the Sieur de Girardot, who held somewhat the same position in that community as Barbau at Prairie du Rocher.[3] At Cahokia Joseph Cesirre, who had been judge and captain of militia for several years, was not commissioned, but this was probably due to his death, which occurred in this year, possibly before Todd's arrival. François Trottier was made commandant of the village and Michel Beaulieu and Pierre Godin called Turanjeau, were commissioned captains.[4] The latter was a new name in such a prominent position, but the Godin family was an important one and without doubt the appointment was approved by the people. In Peoria J. Bte. Mailhet was appointed commandant.[5]

Before issuing the commissions to the militia officers, Todd had given his attention to the establishment of the civil govern-

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 294; *Kas. Rec.*, various papers.

[2] Barbau was from New Orleans and was about fifty-seven years old at this time. He was one of the judges of the court of judicature established by Colonel Wilkins in 1768 and from that date is conspicuous in all the affairs of the American Bottom. It will be seen tha he was called to an important position later at a critical time. See *post*, p. . After the United States came into control of the country, he still continued to be a representative citizen and was appointed to many public positions. He died in 1810. *Kas. Rec.*; Smith, *St Clair Papers*, ii., 165. His will is recorded in the probate record of Randolph Co.

[3] Girardot was a former French infantry officer, who for some reason chose to remain in the Illinois. He was appointed one of the justices by Colonel Wilkins. I have not been able to find the rest of his name, for he was always called by his title.

[4] For these Cahokians see the notes to the census of the village on page 624 *et seq*.

[5] The appointment of a commandant at Peoria and St. Philippe is not mentioned by Todd in his Record-Book, but since we learn that such officers were acting later at these places, they must have been appointed about this time. For an account of Mailhet see p. 231 note 2. In 1790 it was believed that Mailhet was appointed commandant by Clark Smith *St Clair Papers* ii 138.

ment. He had received very definite instructions on this head in the act creating the county, according to which the magistrates were to be such as the people were accustomed to and were to be elected by popular vote. The problem, however, was not an easy one. Under the French regime the civil magistrate was a judge with sole authority in all judicial and executive matters not belonging to the military department.[1] During the British period there had been a feeble attempt, in 1768, to create a court of judicature, but it had failed;[2] and since that time the military commandant had been also judge, assisted by justices in each village, whose duties seem to have been to put in execution the decrees of the commandant. Neither of these arrangements was in accord with the democratic ideas of the frontier. There was, however, another model. Since the fall of the previous year, the Illinois villages had been governed by the courts established by Clark. The justices were elected by popular vote and had given general satisfaction. Todd determined to continue these as fulfilling the requirements of the law. Since Illinois was so large, it was impossible to hold a court at any one of the villages for the whole county. Three districts were, therefore, created: the Kaskaskia district included Prairie du Rocher, Chartres village, and St. Philippe besides Kaskaskia itself; the Cahokia district extended from the village of Prairie du Pont to Peoria on the Illinois River; and the Vincennes district included all the region of the Wabash.[3] The court consisted of six justices from the principal village and representatives from the other communities of the district. Thus two justices were elected for Prairie du Rocher and one for St. Philippe in the Kaskaskia district; one was added to the Cahokia court for the little villageof Prairie du Pont; and three were elected for the communities in the Wabash region outside of Vincennes.[4] These

[1] Alvord, *Illinois in the Eighteenth Century*, 16.

[2] *Ibid*, 21.

[3] Todd's speech, quoted on page lx. gives the boundaries of the Kaskaskia district. The boundaries of the Cahokia district are obtained by the examination of the extent of its jurisdiction.

[4] Todd says in his speech that six justices are to be elected at Kaskaskia and two others from Prairie du Rocher and St. Philippe. As a matter of fact two were elected

justices were elected for a year and might become candidates for re-election.[1]

The election for the new government was held at Kaskaskia, on May 12th, with suitable ceremonies. The people were summoned to a general assembly at the church door, where they had been accustomed to meet to transact their business for years. They came in their picturesque holiday apparel, for to them this seemed the day of the fulfilment of all their anticipations. Near by were drawn up the Virginia soldiers of the Illinois battalion, and possibly groups of Kaskaskia Indians were on the outskirts of the crowd. The central group was composed of Clark with his officers and Todd with his attendants, and with these stood without doubt Father Gibault.[2]

The presiding officer of this remarkable assembly was George Rogers Clark. He had prepared an address for the occasion, but since his knowledge of French was limited, it was written and read by his official interpreter, Jean Girault. His address was in part as follows: "From your first declaration of attachment to the American cause up to the time of the glorious capture of post St. Vincent, I had doubted your sincerity; but in that critical moment I proved your fidelity. I was so touched by the zeal which you have shown that my desire is at present to render you happy and to prove to you the sincere affection that I have for the welfare and advancement of this colony in general and of each individual in particular. The young men of this colony have returned from Post St. Vincent covered with laurels which I hope

from Prairie du Rocher, as the election certificate shows. (*Kas. Rec.*) The ninth member of the court was the Sieur de Girandot, who was a resident of St. Philippe. (*Amer. State Pap., Pub. Lands*, ii., 192.) The number six remains throughout the period as the number of justices to be elected at Kaskaskia. See pp. cxvi., cxxxiv. At Cahokia there was always a member of the court who was a resident of Prairie du Pont and the court of Vincennes must have also followed the Kaskaskia model.

[1] In Cahokia the election was annual and on account of the completeness of the records it is best to base conclusions about practice on that of the court of that village; but in the certificate of the second election of the two justices of Prairie du Rocher in 1782, it is stated that the time of service of the justices as established by law had passed and so two more justices were elected. This would make the tenure of office three years. (*Kas. Rec., Pol. Papers.*) No conclusions can be drawn from the elections at Kaskaskia, since they were held so irregularly and the same is true of what little is known of the court at Vincennes. (See *post*, p. lxxxiv.; Dunn, *Indiana*, *passim*.)

[2] In all French villages the regular place for holding assemblies was in front of the church. Babeau, *Les assemblées generales*, 21 *et seq.* It is possible that the troops and the Indians were not present, but it seems probable that they were.

they will continue to wear." He then praised those who had remained at home to defend their village, and expressed a hope that they would soon have an opportunity to win similar glory. He told them that they would soon possess the liberty which the Americans enjoyed, and that America would protect them. The government, "has appointed for you a civil lieutenant governor to regulate and settle your affairs. In a short time you will know the American system, which you will, perhaps, think strange in principle, but in the end you will find in it so much peace and tranquillity that you will bless the day that you embraced the cause of the Americans. You should be persuaded that we desire to render you happy and to procure for you all possible succor.

"I present to you Colonel Todd, my good friend, as your governor. He is the only person in the state whom I desired to fill this post in this colony. I am fully persuaded from my knowledge of his capacity and diligence that he will succeed in rendering to you justice and making you contented.

"You are assembled here, gentlemen, for an affair of the greatest importance, namely, to elect the most capable and illustrious persons to sit in judgment on your differences. . . . . I pray you to consider the importance of this choice and to make it without partiality and to elect the persons most worthy of your trust; and I hope that in a short time that you will be convinced that you are the freest people in the universe."[1]

Clark was followed by the county lieutenant, John Todd. His speech was also read by some one familiar with the language. He said in part: "Gentlemen, I am sent by the government of Virginia to exercise the duties of chief magistrate of this county. The reception which I have received from you deserves my thanks. I am flattered and shall always be happy, if my power can serve your well-being. I am sure that nothing will be lacking on my part to secure that end.

"The Republic of Virginia has had only noble motives in

[1] *Dr. MSS.*, 49J43. This is an original manuscript and is signed by Clark, Fort Clark, May 12, 1779. Translation by the editor.

coming here. It was not moved by the love of conquest but has come to invite you to participate with her citizens in the blessing of a free and equal independence and to be governed and judged by officers who shall be placed in power by the people.

"Your great distance from the capital, gentlemen, does not permit you to send representatives to the assembly; but if in the future it happens that for your welfare or to avoid loss you prefer such representation, I have it in my instructions to assure you that it will not be refused you.

"The purpose for which we have assembled you to-day, gentlemen, is that you may choose among you six of the most notable and most judicious to be judges of the court of Kaskaskia, conjointly with two others from Prairie du Rocher and St. Philippe.

"Each one with the right of voting can give his vote, either *viva voce* or by writing, to elect whomever he wishes to place in office."[1]

The assembly then proceeded to the election. A large ballot sheet had been prepared which was divided into squares. At the top of this were placed the names of the candidates, and at the side the names of the voters as they handed in their votes either by word of mouth or by writing, and their choice was checked off in the proper squares.[2] The harmony of parties is evident from the list of men chosen as justices. The old factional strife, which had marked the years of Rocheblave's government, was hushed before the grand ideals which had been invoked by the men who had inaugurated this new constitution. All men united in choosing those who appeared most fitted to exercise the duties of the new office. At the head of the court was placed the man who had been the chief support of Rocheblave, but who had in the past few months won the confidence of Clark and his officers by the liberal assistance he had given their tottering finances, Gabriel Cerré. On the whole, however, the names of the judges are those of men who had been lukewarm to the British cause and had won favor either in the recent campaign against Vincennes

[1] Chi. Hist. Soc.'s *Cah. Rec.* This is an original manuscript. Translation by the editor.

[2] At least this was the method at later elections. *Kas. Rec., Pol. Papers*, among which are two such ballot sheets.

or by their cordial acceptance of the American allegiance. There were elected from Kaskaskia, besides Cerré, Joseph Duplasy, Jacques Lasource, Nicolas Janis, Nicolas Lachance, and Charles Charleville.[1]

On May 19th the people of Prairie du Rocher assembled and elected J. Bte. Barbau and Antoine Duchaufour de Louvieres as their representives in the court. At St. Philippe, Pierre Sieur de Girardot was elected.[2]

The court now being complete, Todd issued the commission on May the twenty-first: "From the great Confidence reposed in your Judgment & Integrity by the good people of Kaskaskia and its dependencies and agreeably to an act of the general assembly of Virginia, you are hereby constituted & appointed Justices of the peace for the District of Kaskaskia and Judges of the Court of the said District in cases both civil & criminal. any four or more of you are authorized to constitute a Court before whom shall be cognizable all actions and cases of which the Courts of the Counties of this commonwealth Respectively have Cognizance. your judgment must have the Concurence of at least a majority and be entered with the proceedings previous and subsequent and fairly recorded in Books provided for that purpose."[3]

Richard Winston, who was already commandant of the village, was appointed by Todd to the office of sheriff and Jean Girault, state's attorney. Carbonneaux, who had been clerk during the British period, was re-elected by the court.[4]

The date of the inauguration of the court at Cahokia is not known. During the subsequent years the elections were held generally after the middle of June, the nineteenth being the favorite date; but the court was elected before that date in 1779, for it was in session as early as the tenth of June.[5] The election

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 295.

[2] For election at St. Philippe see *supra*, p. lvii., note 4.

[3] *Kas. Rec., Court Record*, fol. 169.

[4] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 295. Winston's commission is among the *Kas. Rec.*

[5] See *post*, p. 13.

passed off without making many changes in the personnel of the court which had been established in 1778 by Major Bowman. In the place of Langlois, Bte. Saucier was returned. J. Bte. LaCroix was appointed sheriff by Todd and François Saucier was elected clerk by the court.[1] A court was also established at Vincennes. As this post lay outside the territory which in time has become the state of Illinois and since the records from which this account is drawn belong to the villages of the Mississippi bottom, the history of Vincennes will be noticed only incidentally in this Introduction.

The history of these courts was very dissimilar, as will be shown in the following pages; but there are certain general statements in regard to them which can be made that are true of all. The courts met at first rather irregularly, for the justices seem to have attempted to continue the weekly sessions to which they had become accustomed in Clark's courts. Later they gave this up and settled down to holding monthly sessions with some regularity and meeting in special sessions when required.[2] The individual justices had jurisdiction in cases involving not more than twenty-five shillings, as was the law in the other counties of Virginia.[3] The French law was retained as the law of the county, but it was modified somewhat by the law of Virginia. In a letter to Clark on December 12, 1778, Governor Henry mentions sending him the Bill of Rights of Virginia to guide the French people, and appeal was made to it at one time at least in the history of the court of Kaskaskia.[4] But this was not the only Virginia act that was used in these courts, for we find mention of the "Code of Laws and Bill of Rights" as a guide to be followed in questions of difficulty.[5] What this code contained I have been unable to discover, but it was probably the more important laws respecting

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 295.

[2] This was true both of the Kaskaskia and the Cahokia courts. Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 309.

[3] Chitwood, *Justice in Colonial Va.*, 81; see *post* p. 533.

[4] *Dr. MSS.*, 60J1, a copy; *Kas. Rec., Letters.*

[5] *Memorial of Timothe de Monbreun*, November 18, 1794, Va. State Library.

the county courts. There was some attempt at Kaskaskia to regulate the procedure in accordance with English law. On one of the stray papers of the records from Kaskaskia there is a regular docket like that of any English court. At the end of the Cahokia court record, published in this volume, there is an attempt to imitate the same form. Trial by jury was also permitted and probably required in criminal cases; at least the record of the first jury trial at Cahokia was criminal. Another evidence of the influence of the English law is the practice of arresting men for debt, which makes a late appearance in the history of the Cahokia court. On the whole the law of the courts is that of the *coutume de Paris*, as it had been used in the Illinois throughout the eighteenth century. The litigants do not as a rule favor the English procedure and are generally satisfied to have a majority of the judges decide their cases in accordance with equity.

There were very serious charges made against the Vincennes justices on account of the large costs they demanded. A similar charge could not be made against the Cahokia court, for, with the exception of a few cases, which might be explained if we knew all the circumstances, the costs were moderate and not different from those that had been fixed by the ordinances of the French kings. Of the Kaskaskia court almost nothing is known, on account of the disappearance of the record. That the justices of Cahokia were careful in preserving the records of their sessions is evident from this volume. The history of the courts at Kaskaskia and Vincennes was far more stormy, and no doubt in the factional fights the records were not kept as well, but that they were made is evident from numerous references to them in letters and petitions. Where they are now is not known, but in both places there were plenty of men who would prefer that such records should not remain in existence, and they have no doubt been destroyed.

Although unity among the French population appears to have reigned at the election and there was great enthusiasm

expressed for Clark and the new county lieutenant, there was no such feeling for the American soldiers or for the numerous traders and land speculators who had already found their way into the country. The backwoodsman was a type that had been developed rather slowly in the Eastern colonies; but the endless Indian warfare, the life of the woods, the separation from the centers of civilization, the need of reliance on self had produced a set of men well fitted for the task of winning the West. Of great physical strength, brave to recklessness, splendid riflemen, trained in woodcraft in which they were second only to their foes, the Indians, lovers of individual freedom, hostile to the regulations of society, hard drinkers, suspicious, quarrelsome, intolerant, uncultured even to vulgarity, they had all the virtues as well as the vices of the Homeric heroes.

It is difficult to trace the origin of these men of the frontier, for they came from all nations, from England, Ireland, Germany, and Holland. There was also a strong strain of Scotch-Irish blood from western Pennsylvania. Some came from respectable families of the eastern settlers; many had fled to the West to escape the consequences of crime; others were redemptioners. Men of noble ideals mingled with those of the criminal class, for the West asked no questions in regard to the origin and past life of men, provided they were courageous and could wield an axe and fire a gun. What was needed were men, and they came from all classes. The love of the frontier with its excitement was in their blood and they came to fight the Indians, to quarrel among themselves, take up the land, winning it from the Indians and from nature in a way that no other men could have done so well. The well-controlled colonies of the French with their many prohibitions on individual initiative had failed where the splendid self-reliance and personal assertiveness of the American pioneers succeeded.

The men trained under the French system now came in contact with this different race of beings. In the ensuing struggle those best adapted to survive in the life of the backwoods had an advantage which they used without restraint and without com-

passion, and the French gave way before the egoism of the Americans, for whom they were no match. There was little to unite these discordant elements. The French were Catholics; the majority of Americans, Protestant, and the Calvinistic blood of the Independents and Presbyterians still ran warm in the veins of the pioneers, although they may have long ceased to feel the restraining influence of religion. For them the Catholics were enemies, as they had been on many a battle field of the Old World. The French lived on good terms with the Indians, the pioneer knew no good Indian save a dead one. With unremitting and relentless watchfulness they waged that war of extermination until the Indian was driven from the coveted prairies. The friends of the foe who had murdered with such cruel barbarity father, mother, sister, and brother of these stalwart pioneers were not to be trusted, and at every Indian uprising the French people were suspected. The French had been educated to respect the law and to obey the magistrates. With their little difficulties they were accustomed to run to the constituted authority for redress. The frontiersmen preferred to execute their own law and in any dispute were themselves judge, jury and executioner. Let a disagreement arise and there followed that terrific fight in which no rule was known, no end was allowed, save the yielding of one party to the greater physical strength of the other. Kicking, throttling, gouging of the eyes, biting were all permissible. In such a struggle the greater strength and weight of the American had a distinct advantage over the Frenchman. Hence that contempt for the smaller race which is so marked in the attitude of the pioneer for his French neighbor.

No better example exists of their differences than in their manner of life. The frontiersmen preferred the isolated log cabin, built without the least attempt at attractiveness; bare of furniture, comfortless, ill kept, life here was unlovely, individualistic, and unsocial. Even when forced for safety to seek the shelter of the stockade, they brought to the common life only the same qualities. Amidst the stench of cattle and hogs in the enclosure, the young were brought up with no conception of a quieter and more lovely

life. The hero of the stockade was the strongest in the rough and tumble fight, the surest shot, the killer of Indians. The French were temperamentally the opposite; their mode of life had more refinement, more attempt at æsthetic enjoyment, was gentler in every way. Their little cottages in the village community surrounded by the picket fence, which enclosed a garden with vegetables and flowers, set them apart as a people of different ideas and civilization.

It was over these two people who were now mingling in the Illinois villages that Todd was called to rule. The soldiers of Clark had answered nobly to his call to war against the British and Indians, but it required other training than theirs to garrison a village of peaceful citizens. When the spirit of self-abnegation, which marked the army of backwoodsmen on the campaign, had disappeared, the equality which reigned on the frontier reasserted itself and Clark's influence became only that of an equal. The obedience yielded to him in an emergency and in the face of danger was past, and the spirit of individual assertiveness was again predominant.

The French had experienced the evils of this rule of the untrained militia from Virginia and Kentucky, and were glad to be finally released from its petty tyranny. They saw with joy the inauguration of the civil government, for the court would be their champion against the soldiery; and under the strong hand of the lawcourt, an institution which the French were accustomed to respect, order would again be restored and they would taste the sweets of that liberty which Clark and Todd had promised them. The court was French, and it is to this institution that the "villagers" clung throughout the following years, for through it alone could they hope to bring that freedom from military rule which oppressed them.

The reverse of the picture must not be forgotten. The position of the Illinois battalion was a very difficult one. The men were in a country far from their source of supplies, surrounded by hostile tribes of Indians, and unable to confer easily with the officials in Virginia. They, therefore, were frequently forced to

act independently and their acts were not always confirmed by the Virginia authorities. Their supply of money from the state was also inadequate for the work they had to perform. This was due to two causes: first because Virginia did not fully appreciate the importance of holding the Illinois — that was a need better understood by the Kentuckians; second, the finances of the state were such that there was no supply for this distant country. In 1780, Governor Jefferson wrote to Clark: "The less you depend for supplies from this quarter the less will you be disappointed by those impediments which distances and a precarious foreign commerce throws in the way, for these reasons it will be eligible to withdraw as many of your men as you can from the west side of the Ohio leaving only as many men as will be necessary for keeping the Illinois settlement in spirits, but we must accommodate our measures for doing this to our means."[1] In the previous year the situation was only a little better. It was the necessity of holding the country at any cost that forced upon the men of the West the use of measures which bore with harshness on the French, measures which were often cruel and brutally carried out. That they held the territory for America is their excuse. The French were not the only ones to suffer. Clark never received just recompense for his labors, and many personal debts which he incurred for the cause were never paid. Many of his officers suffered in the same way and found themselves financially embarrassed by their devotion to the American interests.

No sooner was the court of Kaskaskia established than it took up the cause of the French and attempted to put an end to the anarchy which threatened. In a memorial to John Todd of the twenty-fourth of May, 1779,[2] the justices told their grievances and demanded reforms: First, "The soldiers of Fort Clark go into the commons of this place to hunt the animals of the undersigned petitioners and without giving heed to the brandings or to whom they may belong they have enclosed them in the fort and killed them without giving notice to anyone. Such acts have never been

[1] *Dr. MSS.*, 29J14.

[2] *Kas. Rec., Pol. Papers.* Original MS. Translation by the editor.

seen in this country before. It is contrary to all law and particularly contrary to the usages and customs of an independent country like this one, which has been announced to be free. In a place where each should be able to do with his property what pleases him and to enjoy it as seems good to him, the soldiers have killed dray-oxen, milch cows, and other animals belonging to people who can not subsist without them. It causes for some a lack of means for the cultivation of the fields and for others a lack of nourishment and subsistence for the family. We have always been ready to furnish animals for the garrison in so far as it was in our power and are still ready as far as we have resources. If it is permitted that our beasts of burden be killed, how can we cultivate our fields and furnish the needs of the garrison and those of our families? If such abuses continue, which tend to the ruin of the colony, what will become of the colonists?"

The second subject of the memorial was against the sale of intoxicating liquors to the Indians. They said that the French had made an agreement not to sell any liquors to the Indians, as it had been the cause of disaster to the colony and they begged Todd to put an end to this trade.[1] The third subject was in regard to trade with the slaves without premission of the masters. The black law was still in force and forbade such trade, which was nevertheless practiced and caused the slaves to be insolent and disorderly.

On this last subject Clark had already issued an ordinance, and at this very time there was in process the trial, which had begun in the courts founded by Clark, of the slaves for poisoning.[2] The case was proved against two and a sentence of execution pronounced against them, so that this kind of disorder from the slaves received a check.

The subject of trade in liquor with the Indians was apparently regulated by the issuance of trade licenses; at least there are in existence two such licenses, one of which is in this volume and the

[1] Refers to the agreement under the Rocheblave administration. See *supra*, p. xxxii.

[2] See *post*, pp. 4, 13.

other may be found in John Todd's *Record-Book*.[1] Since these measures did not prove effective, the court, on September 6th, issued a proclamation prohibiting the sale of liquors to the savages and the buying of any commodity from slaves without permission of their owners.[2]

The first subject was beyond the power of the civil government and was never fully righted, for this grievance concerning the killing of cattle belonging to the French appears in all subsequent petitions of the inhabitants of the villages, whether they addressed themselves to Virginia, to Congress, or elsewhere. The position was a difficult one, and the soldiers left to shift for themselves recurred again and again to this method of foraging. During the summer of 1779 some steps seem to have been taken to stop the abuse, for the officers complained several time of the lack of supplies, and the imminent need of military seizure, which they were forbidden to make.

There was another vital question in the Illinois which demanded the attention of the county lieutenant. The land was fertile, and he had every reason to fear that there would be a rush of settlers to the county, which would now fall under the land laws of Virginia that permitted the greatest license to settlers in preëmpting land. The result in Kentucky had been land-speculation, law-suits, and general anarchy. This Todd hoped to prevent in the Illinois. The French settlers were always opposed to the indiscriminate giving away of unpatented land and, in the petition of May 24th already mentioned, they called Todd's attention to some adventurers who were taking up large tracts of land near their village, and urged him to save at least the rich river bottom. They did not know that the Virginia assembly in May, at the time this question was under discussion in Illinois, had passed a law forbidding settlements north of the Ohio river.[3] Todd was directly interested in the land question, as he had been appointed the surveyor of the county by the corporation of William and Mary

[1] See *post*, p. 463; Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collection* iv., 296.

[2] *Kas. Rec., Court Record*, p. 238.

[3] Hening, *Statutes*, x., 32.

college.[1] In the middle of June he "enjoined all persons whatsoever from making any New Settlements upon the Flat lands, unless In manor and form of Settlem[t] as heretofore made by the French Inhabitants untill further Orders given hereon."[2] That Todd had no intention of forbidding settlers in the prairies is evident from the proclamation, and after Todd's departure neither the incoming immigrants nor the officers of the troops paid any heed to the Virginia legislation. In fact many Americans found their way to the region and were welcomed by Clark, who believed that the settlement of families was the best way to hold a country. In 1779 Montgomery mentions the departure of several families from Kaskaskia to form a settlement up a creek about thirty miles.[3]

But it was not the single settler only who had to be watched. No sooner had the news of the conquest of the Illinois reached the East than the Illinois and the Wabash Land companies, which had been formed during the British period,[4] decided to pool their interests and begin immediately to make settlements. Only a few days after the Virginia assembly passed the act creating the county of Illinois, on December 26th, William Murray on behalf of himself and the other proprietors presented a memorial in which he set forth the fact of the purchase of lands from the Indians and the purpose of making a settlement as soon as the state of affairs in the West would permit.[5] In order not to allow the claim to lapse through non-occupancy, the companies made, the next spring, preparations to form a settlement on the Wabash, and appointed on March 26th John Campbell as their western agent.[6] There was sent him a proclamation to be published in which the most liberal terms were offered to the first five hundred settlers in the town which it was proposed

[1] *Papers of Old Cong., Ind. Papers*, LVI., 97.

[2] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collection*, iv., 301.

[3] *Dr. MSS.*, 49J74.

[4] See *supra*, p. xxx.

[5] *Va. State Papers*, i., 314.

[6] *Can. Archives*, B., 184, vol. i., pp. 119 and 123. Todd found difficulty in deciding what to do about their title. Mason, *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 318.

to establish. The enterprise was not pushed further at this time.

The next subject to engage Todd's attention was the paper money. While on his way to Illinois, he had learned that the issues of continental paper money of the dates May 20, 1777, and April 11, 1778, were ordered to be paid into the continental loan offices by the first of June, 1779, or they would become worthless;[1] but he hoped to obtain a longer time for the money from the Illinois. Todd issued a proclamation on July 27th, which he repeated on August 22d, setting forth the necessity for depositing with him, the called-in emissions for which he would issue certificates. In all between fifteen and twenty thousand dollars were thus collected and deposited with the notary; but nothing further was done with it.[2] It was estimated that there remained in the hands of the inhabitants twenty thousand more notes of these issues, which were, of course, of no value whatsoever. Another loss to the French came from the large amount of forged money that was put in circulation. It was a common practice, and an easy one, to counterfeit the continental and colonial paper and large amounts were carried to the Illinois. This, however, was refused by Todd and the more intelligent merchants. The result of all these operations was that confidence in the paper money was greatly weakened until the French refused to take it at all.

It was to buoy up the sinking credit of this paper that Todd devised a scheme to call in a further amount, since he thought the prime cause of its depreciation was the quantity in circulation.[3] On June 11th he wrote to the Court of Kaskaskia the

[1] Todd to Clark, March 26, 1779, *Dr. MSS.*, 49J33.

[2] In 1790 Governor St. Clair found it still packed away in the notary's office. *Amer. State Papers, Pub. Lands*, i., 20.

[3] The rapid depreciation of the continental money in the year 1779 may be seen by this schedule drawn up by Todd and Clark. (*Journal of Northwestern Commissioners*, Va. State Library).

	Kas.	St. Vinc.	Koho.
From the 1st May till Col. Montgomery's Arrival in June at Kaskaskia One Specied [?] Dollar was equal to	5 or 6	3½	4
From 10 June till ye 10 July during the time ye Reg. was at Kaskaskia & on the way to St. Vin.	10	4?	5
From the 10th July till the Middle Augs.	10	4 to 8	6
from 15 Augs. till 1st Oct.	15	8 to 12	8
from 1st Oct. till 15 Nov.	to 30	to 15	10

following letter: "The only method that America has to support the present just War is by her Credit. That Credit at present is her Bills emitted from the different Treasuries by which she engages to pay the Bearer at a certain time Gold & Silver in Exchange. There is no friend to American Independence who has any Judgment but soon expects to see it equal to Gold & Silver. Some disaffected persons & designing Speculators discredit it through Enmity or Interest; the ignorant multitude have not Sagacity enough to examine into this matter & merely from its uncommon Quantity & in proportion to it arises the Complaint of its want of Credit.

"This has for some years been the Case near the Seat of War; the disorder has spread at last as far as the Illinois & calls loudly for a Remedy. In the interior Counties this Remedy is a heavy Tax, now operating, from which an indulgent government has exempted us. one only remedy remains which is lodged within my power that is by receiving on behalf of Government such sums as the people shall be induced to lend upon a sure fund & thereby decreasing the Quantity."[1] The plan as he set it forth was to borrow 33,333⅓ dollars of Treasury notes, whether of Virginia or the United Colonies, on certificates for 21,000 acres of land near Cahokia. The lender was obliged to make a loan of at least $100, for which he or his heirs should be entitled to demand within two years a title to his allotment of land, or the sum originally advanced in gold or silver with 5 per cent interest *per annum*, at the option of the state.

This project met the approval of the governor and council but had to be brought before the assembly for confirmation.[2] Todd in the meanwhile appointed commissioners to receive the money and large sums were paid in and sealed up, for which certificates were issued. The matter stopped there, for nothing came of the project except the exchange of the paper for the certificates.[3]

[1] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 297.

[2] *Va. State Papers*, i., 326.

[3] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 298 *et seq.*; *Dr. MSS.*, 46J50.

Although Todd had been compelled by law to take up the recalled emissions and to refuse the counterfeits and this last scheme for bolstering up the credit of the paper currency was a common enough one in his time, the effect of all these transactions was to throw further discredit on the currency and make the purchase of provisions for the army almost impossible. For this he was held responsible and roundly denounced by the army officers, who had themselves been the most at fault in passing a depreciated currency at par value, a deceit which caused the French to lose all faith in their money and their word. The blame, however, had to be placed on some one and the head of the civil government was the victim. The animosity thus aroused remained long after Todd had left the Illinois and had met his death at the battle of Blue Licks. Sometime after 1790, William Shannon, who was in 1779 commissary in the Illinois, wrote of these transactions: "it was owing to the false suggestions of Col. Todd, a gentleman who came to the Illinois in the month of May, 1779, in character of chief magistrate, who I believe by his reports to government as well as by his transactions while in the Illinois country had done great injury to the inhabitants. Immediately after his arrival His policy was to put a total stop to paper credit which he did by putting the paper money he found in the hands of the different Individuals under cover and sealing it up (where a great part of it still remains) and giving the holders thereof a certificate specifying that he had Inclosed under his Private Seal paper bills of Credit to a certain amount and for which he promised them (as he said they had been imposed on) lands in proportion to the money they brought to him to secrete for them .... this proceeding put a total stop ever after to paper credit in that country."[1]

This was the explanation of Todd's actions in the military circles. Unjust it was and false; but Todd found himself, as he tried to protect the French, more and more in opposition to the military department. And yet he could not assume the leadership of the French party, because of his duty to the American

[1] *Dr. MSS.*, 46J5.

cause and of the necessity of maintaining control of the territory at any cost. There was nothing left for him but to attempt mediation, which was foreordained to failure. On September 18 Richard McCarty, who was captain of the company stationed at Cahokia, wrote Todd: "I dont see yet through the designs of a few dispicable Inhabitants who say they are authorized by you, to parade themselves in the fields Distroying My property when there are Numbers of other hogs in the same place . . . . Indeed unless there is Soon a Change for the Better me nor my Soldiers will have no Business hear, Neither can we stay half Naked, what we are paid with Call'd down by the Civil power."[1] The same writer was more open in expressing himself to Colonel Montgomery: "Colo. Todd's Residence here will spoil the people intirely for the inhabitants no more Regard us than a Parcel of Slaves." He also says it would be a good thing to get Todd out of the country, "for he will possitively Sett the Inhabitants and us by the Ears . . . . In some complaints by the Inhabitants the other day he wished that there wasn't a soldier in the country. . . . . I have never Seen the people of this place So Mutinous as they are by the encouragement of Colo[1] Todd, for they even begin to threaten to turn my men out of Doors and god knows what I shall do If they do for we are not Above 20 Strong and them Sick that I could depend on So they may Starve us if they like."[2]

This outspoken opposition of the French made its first appearance at Cahokia, possibly because the people of the village were more independent and self-reliant, but probably because there never was a large garrison in the village and it was far from the seat of government, Kaskaskia. Then too the captain in command was well known, having been a trader in Cahokia some years before the coming of the Virginians. His rapid promotion in the army had somewhat turned the head of this Irishman from Connecticut, and he was overbearing and arrogant in his relations with the people.[3] In a moment of anger he once told

[1] See *post*, p. 615.

[2] See *post*, p. 616.

[3] For biographical note on McCarty see *post*, p. 2, n. 3

them that he wished he was commander in chief of their village and he would send some of the inhabitants in chains to Virginia.[1] Todd had no very good opinion of McCarty and later told the governor that he had "rendered himself disagreeable by endeavoring to enforce Military law upon the Civil Department at Kahos."[2]

The military had causes for complaint, although these were not due to Todd. The soldiers were ill fed and badly clothed as the means of supplying their needs began to fail. In September, Captain John Williams wrote, "provisions is very hard to be got without Peltry,"[3] and in the same month Colonel Montgomery wrote to Clark: "I cant not tell what to do in Regard of Clothing for the Soldiers as the Goods you wrote to me is gon . . . . and I would Be Glad that if it is in your power to Send a Relefe to me for the Soldiers if it is onley As Much as will Make them A little Jump Jacote [*Jacket?*] and a pear of overalls I think they Mite Scuffle threw. But in Regard of lining there are Bad of, But if I had Som Strouding I Could Exchang it for lining on the other Side as The [*sic*] have all Redy offered it to me."[4] McCarty's tale of troubles at Cahokia was even worse; for the soldiers were deserting daily because of the lack of clothing.[5]

Thus the question of the support of the troops had become the vital issue between the civil government and the army. The French were unwilling to part with their goods without some assurance of payment, for they had learned from sad experience, and the deception in regard to the money was not the only one. Many of the bills drawn on Oliver Pollock at New Orleans or on the treasury of Virginia by the officers were coming back protested. Even when merchandise instead of money or drafts was promised, the French were disappointed. The experience of Gabriel Cerré is one that occurred not once but many

[1] See *post*, p. 543.

[2] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 335.

[3] *Dr. MSS.*, 49J73.

[4] *Dr. MSS.*, 49J74. The punctuation and spelling are printed as they are in the original.

[5] See *post*, p. 615

times. In a letter to Clark he explained that he had used his credit to purchase supplies for the troops on the promise of the commissary Shannon to repay him in merchandise, which was now refused him.[1] No wonder the inhabitants felt they could do no more. They had furnished their goods and had even taken on themselves obligations in order to make the expedition of Clark a success. This they had done when Clark and his men first surprised Illinois in the summer of 1778. They had also fitted out the Vincennes expedition in the winter with supplies as well as with soldiers. In the summer of 1779, Clark had organized a campaign against Detroit which never took place, and again the French were ready with supplies and volunteers. They were now to be called on once more to sell their goods without hope of pay, and this brought on the crisis that proved to Todd the illusiveness of his mediation and the impossibility of the maintenance of a civil government.

After the failure of the Detroit expedition the troops were assigned for the winter to the different villages, which they reached in August. Colonel Montgomery was placed in command of the Illinois; Captain John Williams was stationed at Fort Clark in Kaskaskia, Captain Richard McCarty, at Fort Bowman in Cahokia, and Captain Shelby at Fort Patrick Henry in Vincennes.[2]

Preparations were immediately made to collect supplies for the winter and the compaign of the following spring. Hunters were sent out to obtain meat, and the officers were instructed to purchase provisions from the inhabitants. To this end, Todd, on August 11, issued a proclamation inviting the inhabitants to make contracts with the commissaries for flour. Knowing the attitude of the people he felt the necessity of adding: "If I shall be obliged to give the military permission to press, it will be a disadvantage, and what ought more to influence Freemen it will be a dishonour to the people."[3] Nine days later Colonel Montgomery tried the effect of his eloquence and proposed that one of the citizens should be appointed contractor to assess the inhabi-

[1] *Dr. MSS.*, 49J59.

[2] Clark's general orders, *Va. State Papers*, i., 324; Letter of Montgomery, *Ibid*, iii., 441

[3] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 305.

tants for the benefit of the service, and he adds: "The complaint of the worthlessness of the money will not last long, I hope, but in the meantime I am certain that all good compatriots will set about assisting the garrison, seeing that it is so many years that their fellow patriots have carried on the war and fought and received their pay in this same money. In order to remedy the difficulty in regard to the counterfeit money, letters of exchange will be given for all kinds of supplies."[1] Two days later Todd prohibited the exportation of any provisions from the Illinois for sixty days. "The offender herein shall be subjected to imprisonment for one month and more over forfeit the value of such exported Provision.' This was not the first time that an embargo had been laid on exportation, for two months before the court of Kaskaskia had prohibited exports without the consent of the commandant.[2]

The result of these measures was that the justices of the court of Kaskaskia assessed the inhabitants of the village according to their wealth, and by August 31 there had been delivered into the storehouse 54,600 pounds of flour and a promise of 1600 pounds more had been made.[3] This amount was considerable, but not sufficient to support the large army that Clark expected to put in the field the following summer. Other efforts were therefore made to induce the people to part with further supplies, and Montgomery's eloquence was again called into use. The effect of this second appeal is told in a report to Clark on October 2d. "Since I receved your letters I have Made a second Trial in Regard of laying up a Sufficant Quantity of provision But it seems to no effect as the [*sic*] aGain Repete to me that themselves and Negroes is neaked and Without I can suply them with Goods or peltry it will be out of their poer to Supply Me in More then What the Already have promised Me which will not Be over half enuf to Supply An aremey. But Sir as you inform me that you have The disposing of the Goods that Colo Rogers

[1] *Kas. Rec., Letters.* Translation by the editor.

[2] Mason, *John Todd's Record-Book*, Chi. Hist. Soc.'s *Collections*, iv., 306; *Kas. Rec Court Record*, p. 232.

[3] Furnished by twenty-seven inhabitants, *Dr. MSS.*, 46J17.

tuck up to the Falls if you thot proper to Send a Quantity of them Back to Me for that purpose or a Quantity of dear Skins with what peltrey I have Got from Colo Todd I think it then Would Be in My power to furnish a Quantity Sufficant for the Supply of a thousand Men Six Months. if you dont think proper to send them Send Me perticuler orders in Regard of teaking it by force and your orders shall be puntley obed. Sir if you Sh think of Sending them, the sooner the Better as I have Eshued a proclamation prohabiten them to transport aney provision of aney Space what Ever till Such times I have answer from you not letting them know that There is aney Expectation of anything of that kind."[1]

Todd had meanwhile been making efforts to supply the deficiency with some success. In the latter part of September he was in Cahokia and purchased a large amount of peltry from M. Beauregard of St. Louis, for which he paid as high as three *livres* per pound, a price which was regarded as excessive.[2] A draft on the treasury of Virginia was given for this. It was this peltry that Montgomery had been counting on to pay some of the debts to the French at the Illinois. Todd preferred, however, to reserve it for future emergencies and declared that the troops must be maintained by the credit of the state. Todd's persistence in this policy caused his administration to end in failure, since, in maintaining it, he found he could no longer protect the people from military levies. Since Montgomery had failed in every attempt to wrest more from the people, he turned the business over to Todd who said: "that he Would Call a counsel of the inhabitants and Compel them to furnish. But when the Met the punkley denied him, he then told Them if the did not Comply he would Give them up to the Militery and Quit Them. the answered him the were well aGread to that & So parted."[3]

[1] *Dr. MSS.*, 49J76.

[2] *Jour. of Northwestern Com.*, Va. State Lib.; Mason, *John Todd Papers*, Chi. Hist Soc.'s *Collections*, iv., 348, 358.

[3] Montgomery to Clark, October 5, 1779, *Dr. MSS.*, 49J78.

The disappointment of Montgomery at this outcome appears very genuine, and he was not sure what to do next. He asks Clark: "with what Face Can I pretend to Seas on those people provisio When the know that we have Got the peltrey and will not Give it to Them and our Money is of no acount to Them and our Bills Comes Back protested. The have Greate Reason to think that We onley intend to Baffle them but Sir you May depend that I will do Every Thing in My power and am detrmed [*sic*] to have the provision as I have demanded Every Bushel of Every Space the have to Spare."[1]

Todd left Illinois in November,[2] shortly after his failure, and returned to Kentucky, leaving as his deputy, Richard Winston. He had become discouraged and had begged to be permitted to resign as early as August 13, 1779, giving as his reasons the unwholesome air, the distance from his connections, his unfamiliarity with the language, the difficulty of procuring many of the conveniences of life, and the impossibility of accomplishing his purposes with the means at hand.[3] He had not been agreeably impressed with the Illinois, where he had suffered a severe sickness and been obliged to put up with much that was disagreeable. He voiced the sentiments of many Americans of his time when he wrote, "I prefer Kentucky much to this Country either for the ambitious man, the retired farmer, or the young merchant."[4]

In leaving he did not resign his position of county lieutenant, but retained it at least through the next year.[5] It has been an open question whether Todd ever returned to Illinois after 1779; but a letter written from Vincennes on March 10, 1780, in which he

[1] *Dr. MSS.*, 49J78.

[2] On November 15, Todd was in Kaskaskia evidently expecting to start for the Falls. (*Va. State Papers*, i., 358). On December 19, he wrote from the Falls to Charles Gratiot. (See *post*, p. 617).

[3] Mason, *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 319; *Dr. MSS.*, 23J103.

[4] Todd to Fleming, August 18, 1779, *Dr. MSS.*, 23J103.

[5] This is an unsettled question. His successors in the Illinois continued to be called deputy county lieutenants. Wickliffe in Morehead, *Settlement of Kentucky*, 174, implies that he did not resign but returned to the county several times. On April 15, 1781, Todd wrote to Jefferson that he still received complaints from Illinois. (Va. *State Papers*, ii., 44). On the other hand he refused to give orders in regard to a consignment of goods to him as county lieutenant on Nov. 30, 1780. (*Ibid*, i., 393).

expressed the intention of going to Kaskaskia the next day leaves no doubt that he was at the former place and makes it probable that he was in the latter.[1] Whether he went or not, he left no evidences of his stay, for affairs by that time had passed far beyond his control. Later he thought of returning, for, in 1781, learning that Virginia was planning to give up Illinois to the United States, he offered his services as surveyor in that country, a position he had previously held.[2] After his departure the civil officers and the French still kept up a correspondence with him, and his interest in the affairs of the distant county ceased only with his death.

As we have seen, one of the last acts of Todd was to deliver the inhabitants into the hands of the military, since the civil government had failed in its principal mission, the maintenance of the troops. Thereafter the army was to collect its own supplies. The method employed by Colonel Montgomery during the subsequent weeks is clearly shown by the following petition which was signed by a large number of the inhabitants of Kaskaskia on December 8, 1779: "To the Magistrates of the district of Kaskaskia, Gentlemen: We ask of you in whom we put our confidence and whom we have elected to govern this country according to the laws which you have caused to be announced to us in your office, is it not full time that you put an end to the brigandage and tyranny which the military have exercised among us so long? Should not the military be content to see that we are depriving ourselves of every necessity in order to furnish their subsistence and have not left ourselves sufficient for the support of our families and of our slaves, from whom we can not obtain any service in a season so severe? Can we with tranquil eyes see the animals, most necessary for agriculture and other work, killed every day?

"You have a sure means, gentlemen, of putting an end to such disorders; but can we even address you in the hope of causing you to see some glimmer of that liberty which has been

[1] *Dr. MSS.*, 50J80.

[2] *Papers of Old Cong. Ind. Papers*, lvi., 97.

so often announced, when you are acting in concert with those who oppress us by taking from us the means of living and from themselves also? We do not believe that it is necessary to report to you in this petition the subject of our complaints, since all the grievances have taken place before your eyes.

"Furthermore you ought to perceive, gentlemen, that the famine has begun to be felt in this country and that we can with difficulty supply with food those who truly merit rations on account of their service and should not be obliged to nourish and warm the useless members of the state. You ought to demand an exact statement of the number to receive rations in order that, when the troops shall have need of asking you therefor, you can deliver what is right.

"Furthermore, notice, gentlemen, that there are in this village only about ten houses which can make remittances and that they are believed to be richer than they really are. We are born free and we wish to enjoy the liberty of true citizens.

"You ought also to observe, gentlemen, that this village has supported all the burden and expense since the arrival of the Americans and that the other villages have felt no burden or a very little. We hope that you will make them contribute to the maintenance of the troops, since they are better able than we are according to their number."[1]

The magistrates took action the next day and embodied the substance of the foregoing complaint to them in a demand on Colonel Montgomery to put an end to the grievances. They pointed out that many useless slaves were being supported in the fort, and that there was a great waste of firewood. Their authority to make this demand was set forth in the following words: "Since our duty exacts that we watch over the public safety and at the same time over the American welfare, we demand, sir, that from now on the troops shall not have the authority to take anything at the houses of the inhabitants without an order from us according to article 13 of the declaration of rights by the assembly of Virginia; which assembly has authorized us to main-

[1] *Menard Col., Tard. Papers*, a copy by the Kaskaskia clerk. Translation by the editor

tain the people of this country in all their rights and liberties. It is there set forth that the military ought to be under the most complete subordination to, and be governed by, the civil power, to which declaration up till to-day the military has given no attention.

"We hope, sir, that you will give attention to our just representation without forcing us to the disagreeable duty of being obliged to appeal to his Excellency, the Governor, and to the Honorable Assembly of Virginia."[1]

Montgomery paid no heed to this memorial or to the threat of appeal to the governor of Virginia. He regarded their demand for a statement of the number of those who were supported in the fort as an insult and an impertinence, and ordered his troops to go from house to house to collect whatever they required, and to shoot the animals on the commons. There were at the time only thirty-eight soldiers in the fort, but with these there were many Americans who had come with their families to settle, and also slaves, all of whom the inhabitants were compelled to support.[2] The winter was a very hard one, the most severe that had been known for years, and the suffering of the people was very great.[3] In spite of this Montgomery proceeded to harsher methods. There is in existence a letter written by him to Deputy County Lieutenant Winston, on March 5th, which shows to what lengths he was ready to go in order to obtain the supplies which he needed. After making the usual demands, he says: "and before that I suffer as much more, I beg you would inform them to put their Guns in good order, as I dont want to take them at any disadvantage. As if they dont furnish I shall look on them as Traitors to the cause of america, and Treat them Accordingly."[4]

Montgomery took the hint in regard to the other villages, however, and went to Cahokia in January, 1780, where he de-

[1] *Menard Col., Tard. Papers*, copy by Kaskaskia clerk. Translated by the editor.

[2] *Memorial of people of Kaskaskia*, to governor of Virginia, May 4, 1781, *Menard Col., Tard. Papers*, original MS. with signatures.

[3] *Can. Archives*, B., 100, p. 370; *Va. State Papers*, i., 338.

[4] *Menard Col., Tard. Papers*. Copy, evidently in Winston's handwriting, and certified by the clerk and Winston.

manded supplies on the ground that the other villages had given in proportion to their wealth. The court of Cahokia agreed that a census of the population should be taken and each person compelled to furnish supplies according to his means. The Cahokians did not have so much cause for complaint as the people of Kaskaskia, for during this winter there were no troops quartered in their village. They preferred no doubt to pay the tax rather than to bring upon themselves a return of the evils they had suffered during the preceding fall, when they had been compelled to receive the troops into their homes, to furnish all supplies, and finally to submit to the seizure of the flour in their mills, which were then sealed with the seal of Virginia. Such acts had alienated the Cahokians, who had been excited to deeds of heroism and self denial under the leadership of Joseph Bowman in the winter of 1778–1779.[1]

When the change of government had failed to satisfy the French and the presence of the soldiers had led to disorder and tyranny, there began a steady stream of emigration to the Spanish bank, which ended in almost depopulating some of the villages of the American Bottom. Among the emigrants were the most important and progressive of the French inhabitants. One of the first to leave was the richest and foremost citizen of Kaskaskia, Gabriel Cerré, who emigrated to St. Louis either in the fall of 1779 or the following winter. Charles Gratiot of Cahokia soon followed his example, and many others went with them "to seek an asylum where they find the protection which is due a free people."[2] Without their leaders the French were less able to hold their own than before. They, however, made their appeal to Virginia, and numerous were the petitions of individuals for the payment of what was owing them. About this time an agent, one Lajeunesse, was appointed to represent the French interests at the capital; but nothing was accomplished, for Virginia had no money to use for investigation or to pay claims, however just,

[1] See *post*, pp. 35, 547, 610.

[2] *Menard Col., Tard Papers, Memorial of Kaskaskians*, to Va. Commissioners, March 1, 1783. Original MS.

against her.[1] In fact it was at this time, as we have seen, that Jefferson wrote to Clark that it would be necessary to withdraw as many of the troops as possible from the territory north of the Ohio, for he need expect no help or supplies from the state.[2]

The people of Illinois did not receive, at this gloomy moment, that assistance from their own officers against their oppressors that they had a right to expect. Instead the justices of Kaskaskia seem to have tried to gain what personal advantage they could from the situation. In the midst of the troubles and poverty of the winter, when the people were attempting to withstand the exactions of Montgomery, the justices of the court were demanding pay for their services.[3] The magistrates found their office, moreover, sufficiently lucrative to wish to retain it; for, when the time came for a new election, none was held, and, with a few changes to fill vacancies, the justices remained the same for over two years. This irregularity is striking when compared with the annual elections for the court at Cahokia. But Kaskaskia was not alone in troubles of this character; the original justices at Vincennes clung to office until 1787.[4]

The court was also accused by Jean Girault, state's attorney, with being lax in the performance of its duty. Many settlers were straggling into the colony and taking up land both within the village by purchase and by grants from the court of unpatented lands, a custom which had been permitted by Todd and continued by his successors. The situation was such that the government in the Illinois could not give heed to the general law of Virginia forbidding this practice; for the immigrants were there, frequently with their families, and had come without making provision for the future, should they fail to receive land to cultivate.[5] Clark himself had frequently approved of protecting the infant colonies by this means, and the officers of Virginia were among the first to accept grants from the court. One of the earliest

[1] *Dr. MSS.*, 50J54.

[2] *Dr. MSS.*, 29J14; see also *supra* lxvii.

[3] *Dr. MSS.*, 50J5. Original MS.

[4] Dunn, *Indiana*, *passim*.

[5] Dodge to governor of Va., August 1, 1780, *Va. State Papers*, i., 368.

records of a land concession of this character is that of one made to Colonel Montgomery. The Indian agent, John Dodge, received in the year 1780 several such patents.[1] Very few of the French seized the opportunity to obtain such concessions at Kaskaskia and the number was even less at Cahokia, provided no account is taken of Prairie du Pont to which Cahokia had another title. It was not against this practice of conceding land that Girault inveighed; but he critised the court's laxity in not investigating the past of these individuals, who were making their homes in the community, to learn if they were British agents, and its neglect to demand of them the oath of allegiance to the United States and Virginia. He urged the justices to compel all strangers to take this oath immediately or he would be obliged to report them to the authorities. He advised them to avoid such a necessity, for their position was very critical, since they had many enemies.[2]

Girault gave his attention to the execution of the law in other particulars. He forbade the justices to arrest parties without proper hearing, and tried to help them keep the peace by persuading Montgomery to permit the civil authorities to use the military prison so that their commands would be obeyed, a privilege which Montgomery later withdrew.[3]

That protection from military oppression, which might have been expected, was not given by the deputy county lieutenant appointed by Todd. Perhaps it was too much to expect that Winston should succeed where Todd had failed, but at least some opposition to the military exactions should have been attempted. The character of Richard Winston is a difficult one to read, for our knowledge of him depends on the pen pictures drawn by his enemies, and these are not flattering. He came originally from Virginia and had been in Illinois since early in the British period.[4] With other traders he had suffered losses

[1] *Kas. Rec., Land Grants.*

[2] *Kas. Rec., Letters.* Original MS.

[3] *Kas. Rec., Letters.* Original MSS.; Winston to Todd, October 24, 1780, *Va. State Papers*, i., 381.

[4] He was one of the original members of the Indiana Co., *Va. State Papers*, vi., 4. See *Jenning's Journal*, March 10, 1766, *Pennsylvania Hist. Soc.'s* lib.

in the Pontiac war. With Kennedy he was an agent for George Morgan, and had won the favor of Clark at the time of the occupation of Kaskaskia. His nature seems to have been one to inspire distrust rather than confidence, for he was suspected of dishonesty by every man with whom he had business or political relations. His partner Kennedy suspected him of having sold the cargo of a *batteau* at New Orleans and pocketed the proceeds.[1] Murray feared that he was going to play the rogue at one time.[2] Todd left the peltry fund which he had obtained in St. Louis in charge of Winston and Montgomery, and both these financial geniuses made the gravest accusations of dishonesty against each other.[3]

From the fall of 1779 till January 1783, Winston was on account of his position one of the chief men in the Illinois, and in many ways he might have promoted a happier feeling between the French and the Americans. Instead he seems to have done all in his power to intensify the mutual distrust, at least such was the opinion of the best citizens.[4] He had managed to hold together that party which had formerly regarded himself, Murray, and Bentley, as leaders against Rocheblave; and under him this party had gained some accessions.[5] Certainly later the clerk of the court, Carbonneaux, became one of his adherents, as did the important Langlois family and also Winston's successor in the county lieutenancy, Timothe de Monbreun. But the real leaders of the French inhabitants were decidedly hostile to him, and he counted among his opponents some of those who had ardently desired American supremacy and had joyfully welcomed Clark. From the sources of information we can judge that Winston's affiliations were always shifting, and it is difficult to find just where he stood at any one time. That he was jealous of the power wielded by the military is unquestionable, but it seems to have

[1] *Kas. Rec., Court Record.*

[2] Murray to Bentley, May 25, 1777, *Mich. Pio. and Hist. Col.*, xix., 418. The date is wrongly given as 1779.

[3] Mason *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 335, 339; *Dr. MSS.*, 50J9.

[4] *Memorial of Principal Inhabitants* to Va. Commissioners, *Menard Col.*, *Tard Papers*. Original MS.; Dodge to Clark, March 3, 1783, *Dr. MSS.*, 52J78.

[5] See *supra*, p. xxxvi.

been his policy never to take a decided stand, unless he was compelled to do so or saw that some personal advantage would accrue thereby. His relation to Montgomery was hostile, for the two men distrusted each other; but outrageously as they abused each other, the French were always firmly persuaded that Winston was betraying them to the military.

The military situation in the spring of the year was a gloomy one; the time of service of most of the troops had expired, and there was little chance of recruiting more; there was no hope of financial aid from Virginia, and the supplies in the villages of Illinois were exhausted. It was also known that preparations were being made by the British for a concerted attack on the western posts. Under these circumstances there seemed nothing for Clark to do but evacuate the country, leaving a few troops to keep up the courage of the French. He consulted with Todd, after a rapid survey of the posts had been made by the latter,[1] and they decided to concentrate the few troops at their disposal at a fort to be built at the mouth of the Ohio. The spot that was finally chosen, and where Fort Jefferson was erected, was a place called the Iron Mines south of the river's mouth.[2] All the troops at Vincennes were recalled and commissions were sent to the French to raise a company and take possession of Fort Patrick Henry.[3] Orders were also given to Montgomery to retire most of his troops from the villages. But before the preparations for the evacuation of the country could be carried out, news came that the British were already approaching. This expedition was part of a general attack, planned by the British on all the Spanish posts of the Mississippi River in order to prevent any assistance's being given to the Americans by Spain, which had declared war on England the previous year. The British troops from the north and south were to move simultaneously in the spring of 1780, and it was hoped that all the villages from New Orleans to St. Louis would be captured. The energy of Governor Galvez of New Orleans

[1] Todd to Clark from Vincennes, March 10, *Dr. MSS.*, 60J80.

[2] The letters of Clark and Todd are in *Va. State Papers* i., 338 *and* 358.

[3] *Va. State Papers*, i., 358.

in successfully attacking the British posts on the Gulf during the fall of 1779 and the spring of the next year frustrated the southern plan; but the expedition of the north against St. Louis and the villages held by Clark was made ready, and in the spring of 1780 was under way.[1] The British had hoped that their movements were unknown, but during the winter the Cahokians had noticed the activity of the British agents among the Indians, and by the beginning of April they had been warned of the approaching enemy. On the eleventh of that month they sent Charles Gratiot to Clark, who was at the time building Fort Jefferson, to ask his assistance. At the same time the Spanish commandant and Montgomery wrote him news of the approaching danger.[2] Montgomery hastened to Cahokia, where he was immediately joined by Clark just in time to repel the attack. The Spaniards were equally successful at St. Louis. Clark would have given them assistance, had not the strong winds prevented the signals from being heard.[3]

Throughout the summer of 1780 the people were continually alarmed by accounts of Indian attacks and rumors of others. Fort Jefferson underwent a severe siege;[4] the people of Kaskaskia repulsed a large band of Indians on the 17th of July;[5] and the inhabitants of Cahokia made common cause with the Spaniards to defend themselves against an expected attack the following month.[6] Thus at a time when Clark's position was desperate the French inhabitants gave him signal aid, without which the Illinois would have been lost. It was with a company of 300 French, Spaniards, and Americans that Montgomery marched northward to make reprisals against the Indians around Rock River, and, if we are to believe the Frenchmen, the failure of that

[1] *Mich. Pio. and Hist. Col.*, ix., 544; *Can. Archives*, B., 43, p. 153; this vol., p. 531, 539 Gayarré *Hist. of Louisiana*, iii., 126 *et seq.*; Hart. *Amer. Nation*, ix., 285.

[2] Mason, *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 354; *post*, p. 531.

[3] The most important documents of the *Hald. Col.* in regard to this attack have been printed in Mo. Hist. Soc.'s *Collections*, ii., No. 6.

[4] See *post*, p. 619.

[5] Va. *State Papers*, i., 368; *Can. Archives*, B., 100, p. 430.

[6] See *post*, p. 59, 61.

expedition was due to Montgomery's incompetence.[1] Meanwhile Clark led the expedition against the Shawnees, an expedition which might have been more successful had not a series of events, beginning at Vincennes, led to a further estrangement between the French and Americans and induced the French at Vincennes to give the Indians information of the movements of the Americans.[2]

These events are connected with the western career of a French officer, Augustin Mottin de la Balme. His presence in the Illinois may, probably, be attributed to a project conceived by Washington and approved by Lafayette and the French minister, Luzerne, for arousing the Canadians to unite their interests with those of the Americans and French in an effort to win independence. In this way Washington hoped to conceal his real intentions of attacking New York as soon as the expected French fleet and soldiers arrived, and at the same time compel the withdrawal of part of the British forces to Canada.[3]

[1] See *post*, p. 541.

[2] Bentley to Clark, July 30, 1780, *Dr. MSS.*, 50J51; also *post*, 617.

[3] This hypothesis is based on the identity of time and action of the De la Balme expedition with the time and purpose of Washington's plan. There is no other indication of a connection between them. Washington wrote to Lafayette on May 19, 1780, about a proclamation which it had been decided some time before that Lafayette should write to incite the Canadians to rise against the British; and on June 4th he wrote to Arnold telling him to have the proclamation printed, which was done. (Sparks, *Washington*, vii., 44 and 72.)

On March 5th of the same year De la Balme wrote to Washington for a general letter of introduction, as he was intending to travel in a short time to the "Southern States of America" where he might be confounded with the many adventurers. (*Washington Papers*, Lib. of Cong.) By April 24th he had changed his mind and it was known that he was thinking of going to the Illinois, for a Mr. Barriere writes him on that date a letter in which he mentions that purpose. (*Can. Archives*, B., 184, vol. 2, p. 417.) On June 27th De la Balme was at Fort Pitt treating with the Indians; in this he was associated with Godfrey Linctot, a Virginian Indian agent. His success was reported to Luzerne, French minister to Congress. (*Can. Archives*, B., 181, p. 371. There is a good calendar of this report in *Can. Archives* for 1888 p. 865.) His acts at Fort Pitt and later in the Illinois, as narrated in the text, show that he was working in the interests of the alliance between the United States and France. That he was not sent to the West solely in the interests of the latter country, as has been suspected, (Turner, *Amer. Hist. Rev.* vol. x., No. 2, p. 255, note 2.) is further proved by the fact that the French despatches of the time show that the French government expected that the territory north of the Ohio River would be conceded to the states by a future treaty. (See Views of the Government of the King, and Vergennes to Luzerne September 25, 1779. Doniol, *Histoire de la Porticipation de la France*, iv., 224 and 360.) The opposition which De la Balme showed to the Virginians is explained by the conditions he found in Illinois as narrated in the text. He was in no way responsible for the interpretation of his actions by Bentley, Winston, and McCarty, who reported that he was hostile to the Americans (See *Dr. MSS.*, 50J51; Va. *State Papers*, i., 381; this vol., p. 617); nor altogether for the misconceptions of the French. (This vol., p. 551; *Can. Archives*, B., 184 vol. 2, pp. 421, 442.) The only fact that is at all suspicious is the manifesto to the Canadians, found among De la Balme's papers, in which there is no mention of the United States. (*Can. Archives*, B., 184, vol. 2, p. 498.); but this may have been due to the feeling of antagonism among the French against the Virginians.

De la Balme had come to America, highly recommended by Franklin and Silas Deane, to offer his sword to the cause of the colonies.[1] He was commissioned inspector general of cavalry by Congress in July, 1777, but feeling himself slighted in not being appointed to the command of that division of the army, he had resigned on October 3d of the same year. He remained in this country, however, and established himself in business at Philadelphia.[2] Late in the spring of the year 1780, he was sent West to start a movement among the French of Illinois which it was hoped would spread over Canada.

On the 27th of June he was at Fort Pitt, where he joined Godfrey Linctot in his efforts to win the Indians to the cause of the allies, France, Spain, and the United States; but he found the conditions there less favorable for his mission than he had expected, on account of the hostility of the Indians to the Americans.[3] On reaching Vincennes in July he realized that the presence of the Virginians, who had made themselves so obnoxious to the French, was a hindrance to his plan, for no campaign in which the Virginians were to join could be promoted.

On the other hand the part of De la Balme's program in regard to assistance from France was most eagerly received, and the emotional French were soon saying that their beloved father, the king of France, was to take control of the West again. It was this message that they gave to the Indians, who still retained their old affection for their allies. In Kaskaskia the message was received in the same way. De la Balme came with a letter of recommendation from Alexander Fowler, a former British officer of the village

On the other hand there was in the manifesto no intimation that France was intending to recover her dominion over Canada.

On account of the betrayal by Arnold, or for some other reason, Washington changed his plans and gave no further attention to arousing the Canadians. (Sparks, *Washington*, vii., 44, note.)

Previous to the arrival of De la Balme, on May 10, 1780, another French agent, Jean de St. Germain, was at Kaskaskia. He claimed to have come directly from France and to be acquainted with the desires of the king. He united with John Montgomery and Richard Winston in a proclamation to the Indians, in which they were assured of the friendship existing between the French, Spanish, and Americans. (Can. Archives, B., 122, p. 478). Rocheblave writes that St. Germain landed at Charlestown the previous winter and went to the West (*Ibid*, B., 122, p. 545.) I have found nothing to connect him with De la Blame.

[1] *Can. Archives*, B., 184, vol. 2, pp. 390 and 381.

[2] *Ibid*, pp. 390, 391, 392, 394; *Papers of Old Cong.*, xl., pp. 144, 168.

[3] *Can. Archives*, B., 181, p. 271.

who had joined the American cause.[1] The best citizens of French origin in this village and in Cahokia welcomed him with open arms, or as Winston said, "just as the Hebrews would receive the Masiah."[2] He had very little to say to Montgomery and his soldiers, for his mission was not to them, and in the existing circumstances he could not risk alienating the French by assuming a friendship for the Virginians; nor did Montgomery take any notice of his presence. The Spanish commandant of St. Louis seemed also far from cordial.[3] De la Balme's proposed plan was the raising of a company in the Illinois to occupy Detroit, which was known to be ready to yield, and then to proceed to Canada, where he expected to be joined by thousands of the inhabitants.

Considering the object of his mission and the conditions existing in the French villages, his address to the inhabitants proves his ability for extricating himself from a difficult position. "It is well," said he, "that you know that the troops of the state of Virginia have come here against the wish of the other states of America, as I learned from members of Congress before my departure from Philadelphia, and that the different deputies who compose that body are ignorant of the revolting proceedings and acts of violence, which the troops are practicing towards you and which are not only blameable but condemnable at the tribunal of the whole world. . . . Therefore it is very important for you, gentlemen, on account of the pressing circumstances, that without loss of time you address yourselves to the minister of France in order to force the state of Virginia to redeem the paper money, the letters of exchange, and other claims, which you have in your hands, and to recall from among you the troops which are oppressing you contrary to all right, since you espouse the cause of the king of France and his allies; troops which, far from preserving you from the fury of the cruel enemies, render you victims of a war, which the Indians, who have been constantly friends of the French, would never have made without them." He then

[1] *Menard Col., Tard. Papers.* Copy by the clerk.

[2] Mason, *John Todd Papers*, 340.

[3] Bentley to Clark, July 30, 1780, *Dr. MSS.*, 50J51; McCarty's Journal, *post*, p. 620; *Dr. MSS.*, 50J66; *Can. Archives*, B., 184, vol. 2, p. 468

urges them to join the expedition against Detroit, "which will win the confidence of the honorable Congress and convince the king of France of the real interest which you take in a cause for which he has already made great sacrifices and which will procure for you in a little while all imaginable assistance from him."[1] That De la Balme deceived the French by promising them the assistance and co-operation of the king of France, and that his words led them to believe that the royal troops would soon be seen again on the banks of the Mississippi cannot be denied; but if he came in accordance with the plan of Washington and Lafayette, he was following his orders as far as it was possible under the very perplexing conditions which he found in the Illinois.

Although the French received him enthusiastically, their power of aiding the expedition was not great and it was only with a handful of men, about eighty French inhabitants and Indians,[2] that De la Balme started for Detroit. The standard which waved over this little company was that of France.[3] He successfully attacked the post at the Miami, but was in turn defeated and killed by the Indians.[4] At the time of his departure for Detroit he had sent a detachment from Cahokia under Hamelin against St. Joseph, which succeeded in sacking that place but was overtaken by a body of merchants and Indians and defeated.[5] Thus ended the attempt at arousing the Canadians. Before the arrival of De la Balme in the West, the policy of Washington and Luzerne had changed and they left their agent to effect what he could alone.

The death of De la Balme did not bring this interesting episode in the history of the Illinois to an end. The villagers of Cahokia had suffered a severe loss at St. Joseph, for all the members of their expedition were either killed or captured except three. The Cahokians, wishing for revenge, hurriedly raised a troop of twenty men and asked aid of the Spanish government, which throughout

[1] *Can. Archives*, B., 184, vol. 2, p. 434. Translation by the editor.

[2] LeGras to Clark, December 1, 1780, *Dr. MSS.*, 50J75.

[3] *Papers of Old Cong.*, xlviii., 1; *Menard Col., Tard. Papers, Memorial of Kaskaskians*, to Governor of Virginia.

[4] *Can. Archives*, B., 100, p. 486; *Va. State Papers*, i., 465.

[5] *Mich. Pio. and Hist. Col.*, xix., 591; *Va. State Papers*, i., 432.

the year had made common cause with them in repelling and attacking the enemy, and which now sent thirty men to their assistance. With the addition of two hundred Indians[1] they marched in midwinter, within a month of their previous defeat, across Illinois, and in the first days of 1781 took and sacked St. Joseph, returning home immediately.[2]

The failure of De la Balme is not of much importance in our narrative, but the effect of his presence on the people of the Illinois was tremendous. His appeal to them as Frenchmen, their awakened pride in the name, the expectation of French intervention in their behalf, were all factors in the events which followed. From this time there is no mistaking their animosity towards the Virginians. Their eyes had been opened by the harsh treatment of the frontiersmen, but they had submissively accepted their fate without daring to do more than petition their oppressors. On account of the false hope aroused by De la Balme they now dared to adopt open measures, for was not their former king

[1] McCarty to Slaughter, January 17, 1781, *Va. State Papers*, i., 465.

[2] *Mich. Pio. and Hist. Col.*, xix., 600. When the expedition returned the Spanish commandant at St. Louis sent a greatly exaggerated account of the campaign to the home government. In this he said that sixty-five militia men from St. Louis had marched, under the greatest difficulties, across the country and taken possession of an important British post and all the country north of the Illinois River in the name of the king. (The account was printed in the *Madrid Gazette* of March 12, 1782, and may be found in Sparks, *Diplomatic Correspondence*, iv., 425.) This immediately aroused anxiety in the minds of the American ministers in Europe. (See ref. to *Diplom. Cor.* above and *Works* of Franklin, Bigelow, ed., vii., 444.) That Spain desired to win the east bank of the Mississippi is unquestioned (See Doniol, *Hist. de la Paticipation de la France*, iii., 393 *et seq.*), and that she intended to make the utmost of this unimportant success at a minor British post is plain, but the motive for the expedition came from Cahokia and in assisting his neighbors in expeditions on the eastern bank, as in this case, the Spanish commandant was doing no more than he had done at least twice before within the past year. In taking possession of the territory north of the Illinois River, he was not encroaching upon the region occupied by the Virginians any more than did Galvez when he captured Mobile and Pensacola, for the limits of the county of Illinois extended only to the Illinois River.

The best account, because unbiased and given in an incidental way, is that of McCarty, who in writing the news of Cahokia, where he was, states the facts as I have given them above. Historians have, however, followed exclusively the Spanish account and have made more of the episode than it was worth, for its only importance was the use Spain may have made of it in her diplomacy, provided there is any basis for that suspicion. The most extended account based on the Spanish report will be found in Mason, *Chapters from Illinois History*, vi., 743; see also Winsor, *Westward Movement*, 189; Hart, *Amer. Nation*, ix., 286.

It is worth noticing that the story of the defeat of the Cahokians at the time of the De la Balme expedition and the subsequent victory with the assistance of the Spaniards was heard by John Reynolds from the village people, but the date of the two had been transferred to an earlier time, namely 1777 and 1778. The honor of the victory of the second attack, which, also, according to tradition was for revenge, was popularly ascribed to J. Bte. Mailhet of Peoria (Reynolds wrongly says Paulette) who must have been at Cahokia at the time, since the Peorians had been driven out of their village by the numerous British and Indian attacks in the previous summer. The facts of this tradition support McCarty's testimony. (Reynolds, *Pioneer History*.) Strangely enough Mason (*Chapters from Illinois History*, 275) accepted the date given by Reynolds and wrote an account of French attacks on British posts before the arrival of Clark.

interested in the fate of his distant and faithful followers? The citizens of all the villages united in a memorial to the governor of Virginia, in which they wrote that they had decided not to receive any more troops in their villages, except those which should be sent by the king of France; the presence of the Virginians had brought them into war with the Indians who before had been friendly and they had suffered therefrom; they promised, however, to guard the frontiers of Virginia from attacks by the Indians.[1] In each of the villages memorials were also drawn up to be sent to the French minister, Luzerne, in which were set forth with great detail the grievances which the inhabitants had suffered at the hands of the Virginians. These petitions, however, never reached their destination, since they fell into the hands of the British with the other papers of De la Balme.[2]

The best account of the changed attitude of the French is found in McCarty's journal. In the summer of 1780, he had been summoned with his troops to Fort Jefferson to give aid against a party of British and Indians attacking it. On his return to Kaskaskia early in August he found that De la Balme had been in the village and that, "the people in General seem to be Changed towards us and Many things Said unfitting," and again, "as things are now the people in General are allienated and Changed from us."[3] The short lived hope of the French did them little good. For a moment they were able to raise their heads like men, but with the defeat and death of their leader their hope was dashed to the ground and the weary wait for other means of relief began again; for, oppressed by the military and hearing nothing from Todd, they could only conclude that Virginia had withdrawn her support and that they were left to do for themselves until some other power should take them under its protection.[4]

[1] *Can. Archives*, B., 184, vol. 2, p. 506.

[2] The memorial from Cahokia is printed in this vol., p. 535; for that from Vincennes see *Can. Archives*, B., 184, vol. 12, p. 421. The petition from Kaskaskia, which would have been particularly valuable for the history of Clark's occupation of the village is not calendared in the *Hald. Col.* and has probably been lost. A very brief memorial to Luzerne was sent by the Kaskaskians after the death of De la Balme and a copy of it is in the *Menard Col., Tard Papers*.

[3] See *post*, p. 620.

[4] *Va. State Papers*, i., 382.

During the fall the Americans carried out the plan which they had determined upon before the attack of the British and which subsequent events had postponed, namely, the partial evacuation of Illinois. At the time of the attack on Fort Jefferson the troops had been recalled from Vincennes. Montgomery after his return from the relief of the fort remained some time in Kaskaskia and on October 18th[1] went down the river to New Orleans, leaving a bad name behind him, even among the Americans, on account of his extravagance and dishonesty. He did not add to his reputation by deserting his wife for "an infamous girl" whom he took with him.[2]

Captain Rogers, who was left by Montgomery in command of the few remaining troops at Kaskaskia,[3] was to prove himself a worse tyrant to the French than his predecessor had been. Two other men had appeared in the Illinois in the spring or summer of this year whose names were also to become execrated, John Dodge and Thomas Bentley. John Dodge was born in Connecticut, had become a trader at Sandusky before the outbreak of the Revolution, and, since he showed his attachment to the cause of the colonists, was arrested by the British, who carried him to Detroit and later to Quebec, whence he escaped in 1779.[4] In that year Washington recommended him to Congress as a man who would be useful in the West. He went to Virginia, won the friendship of Jefferson, and was appointed Indian agent.[5]

[1] General Orders of Montgomery, *Dr. MSS.*, 50J70.

[2] Mason, *John Todd Papers*, 335. Montgomery's defence of his actions may be found in Mason, *John Todd Papers*, Chi. Hist. Soc.'s *Collections*, iv., 351 *et seq.* On April 23, 1782, he wrote a letter of justification to George Webb, in which he said: "Had I made a forton in the time people mout had Reason to Suspected me But to the Contreary I have spent one or at least my all But am in hopes to Be Eable to Live a poor and privet Life after wards it is now almost fore years That I have not Receive a shilling from Government Not Withstanding I advanced Every Shilling I had & straned my Credit till it Became Shred Bear Rather than draw Bills on the State." Copy from Va. State Lib.

Montgomery was born in Botetourt county, Va., about 1742. His use of English shows that his education was limited. He was one of the celebrated party of "long hunters" in 1771. His experience in Indian warfare had fitted him for such an undertaking as that by Clark against the Illinois. He was killed by the Indians in Kentucky in 1794. (English, *Conquest of the Northwest*, i., 137.)

[3] Letter of Winston, *Dr. MSS.*, 50J71.

[4] Woodward, *Dodge Genealogy; Dr. Notes, Trip* 1860, 11J153; Dodge's *memorial* to Cong., January 25, 1779, *Papers of Old Cong.*, xli., 2, 441.

[5] *Dr. MSS.*, 46J52 and 29J36. Dodge was one of the refugees from Canada and Nova Scotia who received compensation in land for their losses during the Revolutionary War. He must have died before 1800, since his heirs were granted 1280 acres of land in that year.

The second, Thomas Bentley, had been well known in the village at an earlier period. On an accusation made by Rocheblave of intriguing with the Americans he had been arrested and sent to Quebec, where he remained until the spring of 1780 when he made his escape.[1] He had asserted his innocence in several persuasive memorials and had convinced even Governor Haldimand of his good faith. As a further evidence of his allegiance to England he went to Virginia and by his intercession for British prisoners with the government gained for Governor Hamilton some mitigation to the harshness of his captivity and for Judge Dejean of Detroit, release on parole.[2] Bentley's double dealing at this time is evident from his letters to the Americans and to the British. While he was writing to Clark concerning the activities of De la Balme and wishing the Americans success in their attack on the Indians, he was writing to the British officers that Illinois could be easily captured by a few hundred soldiers.[3] In his deceit he was eminently successful, for Clark later wrote him a certificate of good character, in which he asserted that the latter had given great assistance to the cause;[4] and the Governor of Canada was so persuaded of his honest motives that he thought it would be wise to allow Bentley to remain quietly in the Illinois, as he would be of great use there. On his return to Illinois, Bentley was firmly resolved to make the French pay for his captivity, for he believed that they had all been in a plot with Rocheblave against him.

The operations of Bentley and Dodge, who formed a partnership for making the most out of the situation, began while Montgomery, who gave them countenance, commanded in the Illinois. They bought up the claims of the inhabitants against Virginia for trifling sums, in doing which it was suspected that they made

Amer. State Papers, Pub. Lands, i., 106. There are in existence two memorials to Congress narrating his earlier misfortunes. *Washington Papers*, xciii., 35; *Papers of Old Congress*, xli., 2, 441.

[1] See *supra*, p. xxxv., n., 2.

[2] Bentley to De Peyster July 28, 1780, *Mich. Pio. and Hist. Col*, xix., 598.

[3] His most important letters are printed in *Mich. Pio. and Hist. Col.*, xix. 548, 560. For his letter to Clark see *Dr. MSS.*, 50J51; *Can. Archives*, B., 185, vol. i, 58, 62.

[4] *Va. State Papers*, ii., 153.

use of public funds, and their financial operations in purchasing supplies for the troops also aroused suspicion. Such conduct called forth a characteristic letter from McCarty to Todd. As McCarty was feeling at the time particularly angry with the officers of the Virginia line, because he had been arrested by Montgomery for bringing an accusation against Dodge,[1] his testimony cannot be taken without reserve; but that there was some truth in what he wrote is abundantly proved by letters from Clark and others. The letter shows not only the situation brought about by the dealings of the two financiers but also the continued exactions of the troops and the effects of the visit of De la Balme. It is addressed to Todd. "When shall I begin to appolagize for the Different light and Oppinion, I saw and had of You when hear last Year, and now. the Spirit of a free subject that you inculcated thro' your better knowledge of things was hid to me. In short, Honour requires me to render You the Justice you desarve, and at the same time to inform you the reason of my altering my notions of things. I then thought the Troops hear would be duly supported by the State, and the legal expense for them paid to the people Justly. I had thought the Duty of an Officer who had any Command was to see Justice done his Soldiers, and that they had their Rights without wronging his Country. I then thought that it was also his Duty to fore see and use all manner of occonomie in Laying up provisions for these Soldiers, to carry on any Opperation that his supperiours should judge expedient to order him on, without any regard to private interests whatever, but for the Good of the State he served. I then never Imagined that an Agent would be sent hear to Trade in connection with a Private Person to Purchase the Certificates from the people at such a rate which must appear scandalous & Dishonorable to the State.

"To the contrary of all which I am now convinced by occular Demonstration: in short we are become the Hated Beasts of a whole people by Pressing horses, Boats &c &c, Killing cattle, &c &c, for which no valuable consideration is given: even many

[1] See *post*, p. 621. For the charge that public funds were illegally used, see *post*, p. 481.

not a certificate which is hear looked on as next to nothing."[1]

McCarty by this letter gave warning of his change of party allegiance. He had up to this time sided with the military against the civil authority and the French. From now on he attempted to win the confidence of the latter, in the oppression of whom he had formerly taken active part. Both he and Winston advised the people to refuse all supplies to the troops and starve them out of the country. For this reason Winston also found his relations with the military even more strained than under the rule of Montgomery. He wrote to Todd that: "They Stretch greatly to bring the Country under the military rod and throw of the Civil Authority. So fond they are to be medling with what is not within their Power. . . . Since the arrival of this Captain Bentley, there has been nothing Butt discord and disunion in this place. . . he has left no stone unturned to Extinguish the laws of the State, and to revive the Heathen Law, being well accustomed to Bribes and Entertainments. Government ought to regulate the trade as there are many abuses Committed under Military sanction."[2]

It is unnecessary to give the details of the trying winter of 1780-1781, for it was but a repetition of the previous one. The inhabitants wrote that the government was like that of a town taken by assault. Captain Rogers, who was young and inexperienced, was blinded by the advice of the crafty Dodge and Bentley.[3] That the means they used to obtain provisions were cruel is proved by the piteous appeals of the inhabitants to the governor. That their methods were not always honest was firmly believed by many officers and by Clark himself. Captain Robert George in writing to Clark on October 24th after mentioning the almost starving condition of the troops, says that Montgomery told him that, "Capt. Dodge has purchased one Thousand bushells of corn and Ten Thousand lb^s of Flour, which is all that is to show from a cargoe of Eleven Thousand hard dollars worth of Goods sent by Mr Pollock to You, together with

[1] *Va. State Papers*, i., 379.

[2] Winston to Todd, October 24, 1780, *Va. State Papers*, i., 380.

[3] The court showed more spirit in opposing the soldiers. There are several interesting letters in regard to their exactions in the *Menard Col., Tard. Papers.*

about five or six thousand Dollars worth from this place. . . I have sent for all the State Horses at Kaskaskia, but it appears there is but few — what's gone with them God knows, but I believe there will be a Very disagreeable accompt rendered to you of them as well as many other things when called for."[1] In March, 1781, Clark was thoroughly aroused by the complaints of the administration of the finances in his department, and in writing to Jefferson says: "I Received your dispatches by Capt. Sullivan. That part concerning the Bills counter^{sd} by Maj. Slaughter, and letters of advice, is something curious. It's surprising to me that Maj. Slaughter, as an Officer of the State, would suffer these persons to persevear in their villany, was he as he hints truly sensible of the principal that actuated them. You know my Sentiments Respecting sev^{rl} persons in our Imploy. Those he accuses, are gen^{ly} men of fair Character. I have long since determined to conduct myself with a particular Rigour towards every person under me. They shall feel the stings of Remorse, if capable, or the sweets of public applause, either as they demean themselves. . . . Those gentlemen Major Slaughter points at, with himself, may expect to undergo the strictest scrutiny in a short time, as Orders are prepared for that Purpose. Mr. Jno. Dodge & others, of the Illinois, also."[2]

While the officers were using their positions for private gain and reducing to abject poverty the French by their levies, the troops of Virginia were suffering the severest hardships. In August, 1781, Colonel Slaughter wrote from the Falls of the Ohio: "The situation of my little Corps at this place at present is truly deplorable. destitute of clothing, vituals & money, the Commissaries have furnished them with little or no provisions these three months past nor dont give themselves the least concern about it." Montgomery wrote that at Fort Jefferson there was not a mouthful for the troops to eat, nor money to purchase any, and that the credit of the government was threadbare. On

[1] *Va. State Papers*, i., 382. For other evidence of dishonesty see Slaughter's letter, January 17, 1781; *Va. State Papers*, i., 440. Jefferson was convinced of Dodge's dishonesty, *Dr. MSS.*, 51J17. In the petitions of the Cahokians to Virginia it is stated that public supplies were used to buy in the drafts and other forms of credit, see this vol., p. 481.

[2] *Va. State Papers*, i., 597.

August 6, 1781, Captain Bailey wrote from Vincennes: "My men have been 15 days upon half allowance; there is plenty of provisions here but no credit. I cannot press, being the weakest party."[1]

The contest of Rogers, Dodge, and Bentley with the court was brought to a crisis at the end of January by the acts of the last. Bentley was inspired by his desire for revenge, and his malice is shown by a long letter which he addressed to, "The inhabitants particularly those who are not my friends," wherein he sets forth his grievances at length. There was little that he could say by way of accusation, so he had recourse to abusive language. The letter is too long to quote, but a few extracts will give an idea of its character. "I know that most of you are mortified at seeing me succeed in surmounting the difficulties with which you together with that rascal Rocheblave, Cerré, and others have burdened me. I am persuaded that there is not one among you in this village who did not wish to crush me under the weight of my misfortunes. I know that it is a crime for a damned Englishman to remain among you. The Irish suit you better. They are your equals in perfidy, lying, flattering, and drinking tafia. . . . . Some infamous vagabonds have had the audacity to demand an inspection of my books. Nothing but ignorance without parallel, joined with the most complete Irish impertinence could have thought of that. A man of the least honor would not have conceived such an idea.

"I am informed that the cause for which you came was concerning some tafia given to the negroes. On this subject I satisfy you on the honor of a man of integrity that it was not from me that they had it. . . . .

"I am informed that Lachance and Brazeau are getting together all the corn for M. Cerré. Why should not I have the same liberty, since perhaps I should give better merchandize and at a better bargain. The reason is that M. Cerré, concerning whom I will prove some day that he is a man without moral feeling, is a Frenchman and I am a damned Englishman."

[1] These letters are printed in *Va. State Papers*, ii., 306, 313, 338.

INTRODUCTION

A suit brought by Bentley against Richard McCarty and Michel Perrault was begun in the court of November, 1780; but the court refused Bentley any recognition until he had taken the oath of fidelity to the United States and Virginia. In the January court Bentley appeared with two Americans and said he was ready to take the oath. This the justices tendered him in the French language, which both he and his companions understood; but Bentley refused to take it, claiming that it was the oath of office that they were offering him. He immediately left the court and soon after returned saying that he had made oath before Captain Rogers. The court, however, stood firm in regard to its rights.

Rogers took up the matter and wrote to the court that he was surprised at their audacity in not recognizing his certificate given to Bentley. "It seems to me that Mr. Bentley has the same right to justice as you yourselves and you can be assured that I can give reasons and proofs to impartial justices of his conduct which will make him appear perhaps a better friend of the state than you, since your court appears to be one for injustice and not for justice. And should you dare to refuse my certificate in the case of the oath of fidelity, I will take it on myself to set your court aside and become responsible for the consequences. You have only to consider and render justice or I will do what is mentioned above."

The court was not frightened into submissiveness, but answered: "We have received your letter of to-day in which you give us over your signature the most complete mark of your capacity in the trust which you imagine you hold.

"We do not doubt the desire on your part to make yourself absolute master; but we have acts of the legislative power of the state of Virginia to govern us and to which we believe we are bound to conform, even as you are yourself, when we require your assistance.

"As to the injustice with which you charge us, there will, perhaps, come a more happy day when we shall prove our good faith, which is always the only motive which leads honorable men."

Possibly Bentley realized the weakness of Rogers threat, for he now drew up a protest against the action of the court in which he appealed to Virginia. In the February session the court considered the protest, after previously receiving the promise of support from the county lieutenant, Winston. They affirmed that the right oath had been tendered to Bentley, and offered again to permit him to take it either before the court, one of the justices, or the county lieutenant; if he did not wish to do this he was permitted to bring in and show the oath which he claimed to have taken.

Bentley's answer was a public announcement that he was starting for Virginia to carry his case before the governor and council.[1] Another reason for his going was his desire to collect the money for the certificates which he and Dodge had bought up, and about the first of April he together with his two assistants, Dodge and Captain Rogers, departed.[2]

This proceeding of Bentley called for immediate action on the part of the French in order to counteract the influence which would be exerted against them, and it was decided to send representatives to Virginia. But there were preparations to make before they could take their departure. Besides the affair with Bentley the inhabitants wished to send the bills and accounts of the people against the state, and asked Cahokia to unite in this. The Kaskaskians chose Richard McCarty and Pierre Prevost to represent

[1] All the papers here indicated belong to the *Menard Collection* and are therefore copies from the *Kaskaskia Register*, except the letter of the court to Rogers, which is among the *Kaskaskia records*. They are all written in French. Besides those mentioned in the text are two certificates that the oath tendered to Bentley was the oath of fidelity, one by Winston and the other by Daniel Murray. The latter had been brought into court by Bentley himself to witness the taking of the oath. The only explanation of Bentley's action is that he feared the news of his having taken the oath would reach Canada.

[2] *Va. State Papers*, ii., 258 and 260; *Dr. MSS.*, 51J52. After arriving at the Falls of the Ohio, criticisms of his conduct came to the ears of Captain Rogers and he wrote a letter to Governor Jefferson defending himself. He accused Winston and McCarty with being the authors of his difficulties by persuading the inhabitants not to furnish provisions for his troops; and had not Bentley offered his personal credit the troops would have starved, although meat was abundant. He enclosed the affidavits of officers and citizens to prove his statement. He ended by writing: "I cannot conclude without informing you that 'tis my positive opinion the people of the Illinois & Post Vincennes have been in an absolute state of Rebellion for these several months past & ought to have no further Indulgence shewn them, & such is the nature of these people, the more they are indulged, the more turbulent they grow — & I look upon it that Winston & McCarty have been the principle instruments to bring them to the pitch they are now at." (*Va. State Papers*, ii., 76.)

I should have given greater weight to the testimony of this letter, were not the character and actions of Bentley and Dodge at this and other times well known from various sources. See this vol., pp. 475, 621; *Kas. Rec., Petitions, etc.*

them. The agreement with them was made on the fifth of May and signed by forty-one inhabitants, the most representative of the village.[1] The people of Cahokia had not learned to trust McCarty, even after his change of parties, for they remembered his arrogance and tyranny while he commanded the troops in their village. They therefore chose only Prevost.[2] Meanwhile the clerk of the Kaskaskia court had prepared copies of all the papers throwing light on the hard treatment the people had endured and all other matters. These were countersigned by Richard Winston, deputy county lieutenant, who at this time was supporting the French party. A five page memorial was written to the governor setting forth in detail the grievances of the people and was signed by sixty-two Kaskaskians.[3]

It was an unpropitious time to petition Virginia, since the scene of war in the East had been shifted to her territory and she could give little heed to her western dependencies. The Kaskaskia papers did not, however, reach their destination; for one of the bearers, Richard McCarty, while on his way was met and killed by the Indians and his papers carried to Detroit. What became of Prevost is not known. This event was to bear immediate results. Learning from McCarty's papers that the French were heartily weary of the Virginians, the British officers determined to use other means than war to recover their dominion over the Illinois.[4]

Since Clark with his half-naked Virginians had surprised them

[1] *Kas. Rec., Pol. Papers.*

[2] See *post*, p. 479.

[3] *Menard Col., Tard. Papers*, the original memorial with signatures. A copy of the memorial is in *Papers of Old Cong.*, xlviii., 1. A similar one was sent from Vincennes on June 30. *Va. State Papers*, ii., 192. It is from the papers prepared at this time that the foregoing narrative is largely drawn. They never reached Virginia, but in the year 1787 these same papers were given to another agent, named Tardiveau, who had them in his possession when he died. As he was indebted for a considerable sum to Pierre Menard, the later lieutenant governor of Illinois, the judge of Cape Girardeau, where Tardiveau was living previous to his death, turned them over to Menard. These I found in a warehouse on the banks of the Mississippi at Fort Gage, Illinois; and they have been presented by their owner, the grandson of Pierre Menard, to the Illinois State Historical Library.

[4] De Peyster to Powell, July 12, 1781, *Mich. Pio. and Hist. Col.*, xix., 646. See also *Papers of Old Cong.*, xlviii., 19. Since the papers, which should have been in the possession of McCarty at the time of his death, were in Kaskaskia in 1787 (see previous note), it is necessary to conclude that McCarty did not carry with him the important copies from the record-book and that Prevost, who was to have carried them, never started or returned with them, or else that duplicates were made for the two messengers. The last alternative is probably the correct explanation.

on that July night in 1778, the people of Illinois had passed through many phases of feeling towards the Americans. They had at first rejoiced that at last the liberty which had been the subject of their dreams was to be enjoyed. There followed a few months of peace under Clark's mild rule, when the French actually stripped themselves of their property to supply the troops with necessities and to further the cause which they had adopted. Then the anxious days came when the vandalism of the troops and the doubt about the payment for their goods made them less jubilant. They received Todd with his civil government as a prophet of a new era. Todd had failed and had handed them over to the military, and Montgomery had succeeded in so thoroughly cowing them, that their power of opposition was weak. De la Balme had aroused them by the new born hope of once more coming under the dominion of France, and he too had failed; but their pride in the name of Frenchmen had been awakened and from that hour their opposition to the Virginians was more forceful. The number of troops in the Illinois under Rogers was not large, so their boldness had little cause for fear from that source; but the long struggle against poverty and tyranny was telling on their courage, and many were beginning to look to England, their allegiance to which they had so lightly repudiated, as a power that might possibly offer them protection. The feeling was not an active force, but simply an indifference in regard to what might happen. The intercourse with Canada had not been completely broken off by the war, for the French there found opportunity now and then to send their goods to their brothers in the Illinois.

This feeling of a possible renewal of relations with England was not confined to the French of the Northwest. Among the western Americans also the same attitude was to be found. George Morgan, writing at this time, mentions a letter he had received in regard to Kentucky, where the indifference to the American cause appears to have been widespread, due largely to events somewhat similar to those affecting the Illinois.[1]

[1] *Dr. MSS.*, 46J59.

It was this feeling that gave the British hope that they might persuade the French to renew their allegiance to the British crown. In June the lieutenant governor of Michillimackinac sent six men to the Illinois to see what could be accomplished. In the three accounts, printed in this volume,[1] their exact mission is differently described; in one it was to excite the people to offensive action against the Spaniards, in another to raise militia to be paid by the British, and in the third to make a commercial treaty. The agents made the mistake of going first to St. Louis, probably to open negotiations with the French of that city, who appear to have been as discontented as their relatives on the other bank. They were arrested by the Spanish commandant, Cruzat, and a letter addressed to the inhabitants of Kaskaskia and Cahokia was found in their possession. A copy of this letter was sent to Major John Williams, who had replaced Captain Rogers at Kaskaskia.

Cruzat gave every appearance of acting in good faith towards the Americans in this matter, and evidently did arouse the discontent of the people in the Illinois who felt that their letter should have been sent to them. But the Spaniard was crafty and no doubt would have been willing to see the eastern bank pass again into the hands of the British in order that Spain might reconquer it.[2] Cruzat was clever enough to persuade Linctot, a Virginia Indian agent at the time in St. Louis, and possibly Gratiot, of his loyalty to the Americans. This may be seen by the letters of these two written to Clark, July 31 and August 1, in praise of the action in withholding the letter and messengers from the French of the American Bottom. But six weeks before those letters were written the Spanish governor had reached an understanding with the Illinois people, and two of the British agents were permitted to go to Cahokia, provided they found bondsmen. The agents accomplished very little, however, owing to their initial mistake; but that the undertaking might have been successful or the mistake even rectified may be inferred from a letter of Antoine Girardin to Governor Sinclair.[3] Girardin was

[1] See *post*, p. 553, 555, 559.

[2] Doniol, *Hist. de la Participation*, iv., ch. 6.

[3] See *post*, pp. 95, 559.

one of the most important citizens of Cahokia at this time, had been elected one of the members of the first court, and was the most enterprising man in the village. His position was such that he understood the feeling of the people, and his letter probably reflected their attitude correctly. He wrote that, if a force of British soldiers without any Indians should be sent to the Illinois, he was sure the people would receive them; and at the same time he offered his assistance. It is possible that, had the British acted promptly, they might have succeeded. Yet possibly not, for shortly after this letter was written, the news of the surrender of Cornwallis reached the West and naturally raised the hopes of those who still clung to the American cause.

During the summer of 1781 the court at Kaskaskia had tried to assert itself in the interests of good order. Certain American settlers had followed the example of the troops in killing the cattle of the French. As long as the soldiers were present, they were safe from prosecution, but now, when there does not appear to have been any garrison at Fort Clark, indictments were brought against six Americans by eleven Frenchmen for shooting the cows and other animals in the commons. The Americans were arrested and tried; the charge was proved against them and three were banished from the country for three years and the others fined.[1]

The justices also dared make opposition to the deputy county lieutenant. Without consulting the court, Winston appointed, as notary public, Antoine Labuxiere, son of Joseph Labuxiere who held the office of state's attorney after the resignation of Jean Girault.[2] The first opposition to this appointment came from the notary-clerk of the court, Carbonneaux, who, perhaps, was not anxious to have a rival. The court supported their clerk and Winston was obliged to yield. The principal reasons alleged by the court for their objection were the youth of Antoine Labuxiere and the law that no officer could be appointed except

[1] *Kas. Rec., Court Papers*; *Transactions* of the Ill. Hist. Soc. 1906, p. 258, *et seq.*

[2] See *post*, p. 487.

by the vote of the people. Winston answered that he was in no way responsible for his actions to the court but only to the state of Virginia.[1]

The unfriendly relation existing between the county lieutenant and the court that is evident from the foregoing instance had existed ever since the appointment of the former, and from now on appears to have increased, until Winston had few adherents among the French inhabitants, a circumstance which he was to regret in the future. Exactly what bearing this disagreement had upon a new election of justices at this time it is impossible to say. Four justices from Kaskaskia, Lasource, Janis, Lachance, and Charles Charleville, had held office for over two years, in fact ever since the election held by Todd. The other two members had been Duplasy and Cerré. The former had been killed in the De la Balme expedition and the latter had gone to St. Louis. As far as the record shows only one of these places had been filled, by the election of Michel Godin. The two justices from Prairie du Rocher were to remain unchanged for another year. It is not known what became of the Sieur de Girardot who represented St. Philippe. All the justices desired to continue in office, but since the list of magistrates was not complete, two more, J. Bte. Charleville and Antoine Bauvais, had been elected to fill the vacancies on July 19th. The prolongation of their tenure of office by the justices was not popular, and it is possible that Winston utilized the opportunity to bring such pressure to bear that the court was obliged to submit; for on the tenth of September he was requested to permit the summoning of an assembly of the people to "elect magistrates to fill the places of those who had held their position for two years or more."[2] The assembly was called the same day and there is in existence the polling sheet that was used. Perhaps on account of the shortness of the notice or for some other reason only twenty-seven votes were cast, not exceeding by many the number of candidates which was sixteen. Antoine Morin was the most popular candidate receiving twenty

[1] Five letters in *Kas. Rec.*, written in August, 1781.

[2] *Kas. Rec., Petitions.*

votes. The next one on the list was Pierre Langlois with eighteen votes; the third was Vitale Bauvais, whose brother had been elected in July, and whose family was at this time and later one of the most influential among the French population; the fourth was Pierre Picard with eleven votes. The other candidates had only a few supporters. The analysis of the vote would indicate that Winston had not been supported at the poll and that his opponents had carried their candidates. At the bottom of the polling sheet is written the certificate of election. The clerk first wrote the name of Pierre Langlois, who was more friendly to Winston than the other justices, as president of the new court, although he had received fewer votes than Morin. He then crossed this name off and substituted that of J. Bte. Charleville, one of the justices chosen in the July election, who may have had a prior right to this position. His vote had been cast for the four successful candidates and he was and remained a firm adherent of the French party. Whatever the explanation of the erasure is, neither of the two men became president of the court, for the position was held during the following year by Antoine Bauvais, who was one of the justices elected in July.[1]

Kaskaskia was not to have the burden of many troops during the next winter; but the village did not wholly escape persecution, for two of the men formerly most troublesome returned. It is true that the one who had made himself most offensive, Thomas Bentley, never again visited this country. He failed in his attempt to realize on all the certificates which he had bought from the French. His petition to the Virginia council was denied, and that body intimated that the gentleman was an impostor. Bentley defended himself against the accusation and appealed to the letter of General Clark and to the testimony of Colonel Montgomery and John Dodge.[2] Possibly on account of the character of his attestors, one of his claims was afterward allowed. He was still in Richmond waiting for its payment in July, 1783, and

[1] *Kas. Rec., Pol. Papers* and *Petitions*. A year after this date both the clerk, Carbonneaux, and Langlois were supporters of Winston.

[2] *Va. State Papers*, ii., 238.

probably died during the year for his wife began the process for the settlement of the estate shortly afterwards.[1]

When Rogers and Dodge returned to Kaskaskia I do not know, but there is a characteristic letter from Rogers dated November 10, 1781, demanding supplies. His threats were somewhat modified. He said that if the people did not give him what was needed for his thirty troops, two hundred would be sent; but there was no suggestion of setting aside the court. He claims to have been acting under orders[2] and was probably sent to Kaskaskia more to reconnoiter than to act as a guard, for Clark expected that the British would make one more attempt to win the West, which had become more important to them now that the southern campaign had ended in the capture of Cornwallis. Rogers evidently did not remain long in the country, for before the winter ended Clark informed the governor that Vincennes had been completely evacuated and that only a few spies were kept at any of the villages.[3] Dodge had probably returned with Rogers and remained in the village. Before twelve months had passed the records were to give no uncertain account of the activities of the "illustrious Dodge."

There is among the *Kaskaskia Records* a long and interesting letter in the French language written in December by George Rogers Clark to the court of Kaskaskia, in which he states that he has learned that there are in the village numerous refugees and vagabonds who are disturbing the peace and tranquility of the community by stealing property in spite of the authority of the court. He laments this fact and urges the court to use its power even to the extent of inflicting corporal punishment or the death penalty. He tells the justices to make use of their militia and to call on the other villages for aid. Just what circumstances drew this letter from Clark will probably never be known; but the things he speaks of were constantly happening, so that he might have written such a letter at any time after he

[1] *Kas. Rec., Petitions.*

[2] *Menard Col., Tard. Papers.*

[3] *Va. State Papers*, ii., 68; a letter from Colonel Davies to the governor implies the same *Ibid*, iii., 198

entered the country. The interesting point is that he desired the court to uphold its authority, and there is nothing to indicate that he authorized the unnecessarily harsh and arbitrary measures of his officers. In notifying the French of the surrender of Cornwallis he gave them the hope that a better day was coming for them.[1]

Of the winter of 1781–1782 there are no records except such as show that the court was regularly sitting and performing its duties. A single document should be mentioned. On February 10th another election was held to appoint a single magistrate. Fifteen votes were cast of which Stanicles Levasseur received five and was elected. Whose place he filled cannot be discovered, for there remain no lists of the judges like those of the court of Cahokia.

The year 1782 was to be the last one of the war. The Virginians had managed to hold the country northwest of the Ohio for almost four years and this last was to pass without real danger. Rocheblave, the former acting commandant of the Illinois, had returned to Canada and laid before the government a plan for the reconquest of the whole territory, but his suggestions were without influence.[2] Several parties of Indians were sent into the Northwest, however, and one of these defeated the frontiersmen at Blue Licks—it was in this engagement that John Todd was killed; but no serious attack was made on the French villages. Clark retaliated by leading a large party against the Miami villages and inflicting severe punishment. It was his last achievement in the war.[3] On November 30th, a few days after the Miami campaign, a provisional treaty of peace was signed by England and the United States. The danger to the Illinois from Canada was for a time at an end. On January 18, 1783, the Illinois regiment was disbanded[4] and in the following July Clark was relieved of his command.[5]

[1] *Kas. Rec., Letter.*

[2] *Va. State Papers*, iii., 150; *Hald. Col.*, B., 122, p. 545; and 123, p. 141.

[3] *Va. State Papers*, ii., 280, 381; Winsor, *Westward Movement*, 203 *et seq.*

[4] *Memorial of Timothe de Monbreun*, Va. State Lib.

[5] English, *Conquest of the Northwest*, ii., 783.

In the villages of the Illinois during these years of neglect we find as close an approximation to the form of the classic city-state as has ever existed in the western hemisphere. For a short time they were practically cut off from the rest of the world and from the only power which might legally exercise authority over them, so that each village was a self-governing community. As we shall see later the period was for Cahokia one of moderate prosperity and peace; but the more important village, Kaskaskia, passed through all the sufferings which her earlier prototypes experienced during periods of social anarchy. The Greeks gave the special name of *stasis* to that disease which was so common to their peculiar form of civil organization. It was caused by one party within the state making the political issue the subjugation of all others, an issue which was pursued with maliciousness and violence.[1] In a famous passage Thucydides has described the results of this disease: "The cause of all these evils was the love of power, originating in avarice and ambition, and the party spirit which is engendered in them when men are fairly embarked in a contest. . . . . Striving in every way to overcome each other, they committed the most monstrous crimes; yet even these were surpassed by the magnitude of their revenges, which they pursued to the very uttermost, neither party observing any definite limits either of justice or public expediency, but both alike making the caprice of the moment their law. Either by the help of an unrighteous sentence, or grasping power with the strong hand, they were eager to satiate the impatience of party spirit."[2] The description is as applicable to the conditions existing in Kaskaskia during the years following the withdrawal of the Illinois regiment as to the cities of Greece, which Thucydides had in his mind.

The factional strife and the personal enmities, which had been engendered by the past years in Kaskaskia, but had been somewhat controlled by the presence of the military force, broke out in the most virulent form of *stasis*, during the course of which the

[1] Fowler, *City-State of the Greeks and Romans*, 254.

[2] Thucydides, *Hist. of the Peloponnesian War*, Jowett's translation, i., 24.

love of power, avarice, and personal animosities seized control of the government, overthrew it, and left behind only anarchy. Three parties entered into this struggle for power, and probably the final blame for the result must be ascribed in part to all. The mass of the French inhabitants made up what may be called the French party, the leaders of which were the justices of the district court. These latter considered themselves the chief representatives of sovereignty and would have been glad to compel submission by all rivals. The strength of this party was rather greater in the district than in the village proper, where the people were more divided in their allegiance and more cowed by their opponents.[1] Its members were hostile to the Americans who had settled among them and feared that they would be finally overcome in numbers and lose their French laws and officers. They looked upon the deputy county lieutenant in particular as an enemy, who would take the first opportunity to make himself supreme and whose action in trying to placate the Virginians and at the same time to incite the French to opposition they regarded as treacherous.[2] It is probably true that the leaders of the party were ignorant, as Winston asserted, and incapable under the existing conditions of fulfilling the duties which the accidents of war and geographical position had thrust upon them.[3]

Winston had a small following among the French, led by Pierre Langlois, one of the justices, and Carbonneaux, the clerk of the court. Some of the Americans had also attached themselves to his party. His contempt for the French was only less than his hatred of John Dodge, the leader of the third party, whom he regarded as his chief rival. The hostility of the two men dated back to the time when Montgomery was still commanding in the Illinois, and, since Dodge had always been associated with the military party, the personal strife between them appears to be a continuation of the struggle be-

[1] The strength of the party is learned from the various petitions and memorials sent to Congress and elsewhere, to which reference is made in the text. (See p. cxvii., n. 2.) When the party gained control of the government in 1780, its leaders were men of Prairie du Rocher.

[2] *Memorials of the people*, to Va. Commissioners, *Menard Col.*, *Tard. Papers*.

[3] Deposition of Carbonneaux, who was an adherent of Winston, *Va. State Papers*, iii., 430.

tween the army and the civil government, which had broken out when John Todd was still in the county.[1] That Dodge actually held a military commission at this time is extremely doubtful. He had been appointed Indian agent for Virginia and even used that title occasionally during the year 1782. Since Clark had never trusted him and his reputation among the Virginia officials was none too good, it is not probable that he had been promoted to a position in the army.[2] However, after the departure of Captain Rogers, Dodge gave himself out as commandant of troops in Kaskaskia and was able to persuade many of the French people to acknowledge his authority. With him were associated Israel Dodge,[3] who seemed ready enough to follow his energetic and capable brother, and the more turbulent American immigrants. For the next few years John Dodge is the power in the village of Kaskaskia. Unfortunately most of the records of his interesting career, which the clerk of the court carefully preserved, have been destroyed, so that the details can only be obtained from the rather unsatisfactory petitions of the inhabitants to Congress.

Dodge's first attack was on the deputy county lieutenant, in the summer of 1782. The fear of renewed British invasions and possible treachery were his excuses. Winston had become thoroughly exasperated with the actions of the Virginia troops, and probably desired to identify himself with the French party. At any rate he went about among the people telling them that Dodge and the officers who had been in the Illinois were vagabonds and robbers, who had only come to the French villages for the purpose of pillaging. There is no proof that he entertained treasonable designs, and his remarks give evidence of be-

[1] Winston to Todd, October 24, 1780, *Va. State Papers*, i., 380; Dodge to Clark, March 3, 1783, *Dr. MSS.*, 52J78.

[2] I have failed to find any such commission, He was always called captain, but the title was not received for service under Clark, as his name does not appear in any list of officers and troops serving in the West. (English, *Conquest of the Northwest*, ii., 1060 *et seq.*) Colonel Davies wrote to the governor of Virginia on June 22, 1782, that he did not think there were any troops in the Illinois or had been for some time. *Va. State Papers*, iii., 198.

[3] Israel Dodge was the father of Hon. Henry Dodge, whose life is so closely connected with the history of the West.

ing inspired solely by personal dislike and enmity to individuals; for he excepted Clark from his general condemnation.

On April 29th John Dodge issued an order, which he signed as captain commandant, to his brother Israel to take a party and bring Richard Winston before him to give an account of his conduct. Even if he had held a military commission such an order was entirely illegal; and his next act was still more so, for he ordered that Winston should be imprisoned because he, "has been guilty of treasonable expressions Against the State and officer who have the hon[r] of wearing Commission in the Service of their Country; damned them all a set of thieves and Robers and only come to the Country for that purpose, The above Crime being proved before. i now deliver him to you prisoner and request of you to Keep him in surety until he may be brought to justice." [1]

The day of the arrest Mrs. Winston appealed to Antoine Bauvais to assemble the court and summon the Dodges to appear and justify their actions. The court met at one o'clock the same day but refused to take cognizance of the affair, probably being willing that their two enemies should fight it out. On the next day Dodge wrote to Joseph Labuxiere, state's attorney, and asked for his co-operation. Labuxiere's training was not such as fitted him to oppose the military power. He had served under France and Spain where orders from the captain in command were obeyed, so he took up the case; but he protested that he would not hold himself responsible to the state or to Winston for the events and prejudice which might result therefrom. He said, however, that he was bound to give information to the council of Virginia and to General Clark and that he had been unable to persuade the court to draw up the process against Winston without a deposit of money, which neither he nor Dodge possessed. Labuxiere summoned the witnesses, who were named by Dodge, to appear before him. The first was Michel Perrault, captain of infantry, who testified that he wrote to Winston for some supplies belonging

[1] The charge against Winston was true, for the French themselves said the same thing in a memorial to the Virginia Commissioners. *Menard Col., Tard. Papers.*

to the state and that Winston sent part of them; that later the witness, being reduced to "indigence," had sold some of these, and Winston had then said to him that he was following in the footsteps of his superiors who were a band of thieves. The next witness was Major John Williams, former captain of infantry. He said that he had frequently heard Winston swear at all the officers of the Illinois troops except General Clark and declare that they had come to the country only to rob and steal. The third witness was Henry Smith, who called himself improperly a former captain in the Illinois battalion.[1] He repeated the testimony of Williams. Labuxiere ended his account of the testimony with a statement that he was aware that he had exceeded his duties in thus summoning witnesses before him, but that he thought the importance of the case demanded his action.

While Winston remained in prison, some friend or his wife obtained possession of John Todd's record-book, which was probably in Winston's house as it was the property of the county lieutenant, and entered therein this protest: "Kaskaskia in the Illinois 29th april 1782. Eighty and touce. This day 10 oClock A:M I was Taken out of my house by Isreal Dodge on an order Given by Jno. Dodge in despite of the Civil authoroty Disregardled the Laws and on ther Malitious acusation of Jhn Williams and michel perault as may appear by their deposition I was Confined By Tyranick military force without making any Legal aplication to the Civil Magistrates. 30th the attorney for the State La Buxiere presented a petition to the Court against Richard Winston State prisonner in their Custody the Contents of which he (the attorney for the State) ought to heave Communicated to me or my attorney if any I had."[2]

Winston was detained in prison for sixteen days, and after his release persuaded the justices to hear the case in which the civil authority had been so defied. On June the 30th they ordered

[1] In 1781, when he was among those prosecuted by the court for killing cattle (see *supra*, p. cvi.) he testified that he was a laborer. His name does not appear on any list of Clark's troops.

[2] *John Todd's Record-Book* in the library of the Chicago Hist. Soc. This protest is not in Winstons' handwriting. I have quoted it in full in order to correct several mistakes which are to be found in the printed version in Chi. Hist. Soc.'s *Collections*, iv., 289.

Labuxiere to inform them of the witnesses whom he had interrogated and to send them a list of questions which he desired to have asked, for they wished to end the affair, seeing that Winston intended to leave the country. The records do not contain an account of the proceedings before the court, but Winston was acquitted. After this interesting episode we lose all sight of Dodge for a few months, and when he reappears he has won for himself the mastery of the village of Kaskaskia. The steps by which he acquired his power are unknown; but the acts of Winston during the last months of 1782 no doubt prepared the way.[1]

Winston had good reasons for feeling that the court had not given him cordial support in his contest for the rights of the civil against the military power, and it was probably due to his influence that a new election of magistrates for Kaskaskia was held shortly after his release. On the sixteenth of June, an assembly of the people of Prairie du Rocher was held in the house of J. Bte. Barbau, commandant of the militia, to elect magistrates to fill the places of Barbau and Louvieres, who had been magistrates "during the time fixed by the code of government." They had held their positions since June, 1779. The two newly elected justices were Aimé Compte and J. Bte. Jacquemain.[2] On the fifteenth of September Kaskaskia held a new election, only twenty-one men exercising the franchise, and six new magistrates were chosen—J. Bte. Bauvais, Louis Brazeau, François Charleville, François Corset, Vitale Bauvais, and Antoine Morin; but Winston issued a certificate of election to only the first four, to whom he also wrote a letter of congratulation.[3]

It is to be noticed that Vitale Bauvais and Morin were both members of the former court, which had refused to support Winston against Dodge. In spite of the act of the county lieutenant

[1] The papers in the foregoing narrative may be found in the following places. In the *Papers of Old Congress*, xlviii., 4, are the two orders for arrest and imprisonment of Winston and Mrs. Winston's appeal with the call for the court on April 29. The correspondence between Dodge and Labuxiere with the depositions of the witnesses and the court's letter to Labuxiere belong to the Cahokia Records in Chicago Hist. Library.

[2] *Kas. Rec., Pol. Papers.*

[3] *Kas. Rec., Pol. Papers and Letters.*

the other justices gave their support to their rejected associates and Vitale Bauvais was made president, a position he held as long as the court continued to sit.

Beaten once again at the election, Winston determined to use other means of asserting his authority, but he allowed at least two months to pass before proceeding to the final act. That act was decisive. Towards the end of November, he posted on the church door a notice abolishing the court of the district of Kaskaskia. Thus by act of the civil authority, and not by that of the military, the court of Kaskaskia came to an end. From this date until June, 1787, no bench of justices held sessions in that village.[1]

Winston himself had decided to go to Virginia. He wished to obtain justice against John Dodge, to petition for the remodeling of the government, and to recover the money which he had advanced to the state. His loans to Virginia had been considerable and he found himself reduced from affluence to extreme poverty by his support of the American cause. One of the officials of the court, the clerk François Carbonneaux, had supported Winston in his action and was to accompany him to Virginia. On December 3d, they persuaded a few Kaskaskians to appoint them their agents either to Virginia or to Congress for the above purposes. The signatures to this document reveal the strength of the party of the county lieutenant. Of the signers seven were Americans and ten were Frenchmen, of the latter five only could write and but one, Pierre Langlois, had held the position of justice of the peace.[2]

[1] The existence of the court can be proved up to November 15th. (*Kas. Rec., Petitions.* That it was set aside by a placard on the church door is proved by a letter of the two Bauvais and Corset in 1787. (*Kas. Rec., Letters.*) Winston is unquestionably the one who set the court aside, for in a memorial to the Va. commissioners, the French party wrote that he had "annulled, set aside, and revoked the good law which you have given us for the surety of the country." *Menard Col., Tard. Papers.*

[2] From now on the petitions to Congress are numerous and it is necessary to depend upon them for much of the narrative, since the local material has been lost or destroyed. These petitions must be used with caution, for they emanate from different parties in the Illinois and their value can only be estimated after a careful analysis of their contents to determine who were the petitioners. First there was the party of Winston. The first petition was carried by Winston and Carbonneaux, but since Winston died in Richmond in 1784 (*Dr. MSS.*, 4J37), Carbonneaux was the representative of this party at Congress. They wanted to remodel the existing government and to make Illinois into one district under a county lieutenant having sufficient power to maintain order. They had a contempt for the French, for their lack of intelligence, and for their failure to rule themselves. (*Papers of Old Cong.*, xxx., 453.) The second party was that of John Dodge, who was more success-

Before leaving the country Winston made provision for the maintenance of the county government by the appointment, on January 8th, of Jacques Timothe Boucher Sieur de Monbreun, as his successor, but this he did not make public till January 21st, at which time he confirmed the sale of the office of notary-clerk by Carbonneaux to Pierre Langlois.[1] Before the arrangements for his departure were completed, the announcement of the arrival of the commissioners for western affairs, sent by the state of Virginia, had reached Kaskaskia, so that he had a further incentive for haste.

Although, for lack of other name, it is necessary to continue calling the government in the Illinois, the county of Illinois, legally the county had ended twelve months before Winston appointed his successor. It had been established by the act of the Virginia assembly in December, 1778, and was to last for one year and thereafter until the end of the next session of the assembly. It was renewed in May, 1780, and continued for a similar period.[2]

ful by means of intimidation in winning the support of the French people, including the deputy lieutenant left by Winston, and to whom the Americans looked for leadership. He was not, however, able to win over the prominent members of the French party, who remained distinctly hostile. Dodge and his followers advocated the establishment of Illinois as a separate state, being no doubt influenced by the similar demand of the county of Kentucky. Their petition was carried by Pentecoste in 1784. (*Papers of Old Cong.*, xxx., 435, 463.) The third party was that of the French, led by Barbau, the Bauvais, Janis, and others. The people of Cahokia may be regarded as belonging to this party. The members were devoted to the court and the French law modified by the Virginia enactments, as they had been established by John Todd; but the party had no objection to changes in the civil organization which might be made by Congress; in fact its members demanded a government from Congress. Their petitions were carried by Major Lebrun and Mr. Parker. The writers of their communications were the clerks of the courts. (*Papers of Old Cong.*, xli., 113; this vol., p. 567, 581.) The fourth set of petitions were written by a faction of the French party which remained irreconcilable after the attempted settlement by Colonel Harmar in 1787 and continued to protest against Dodge. (See *post* p. xxxvii.) The leaders were a priest, Father de la Valiniere, and the clerk of the court, Pierre Langlois, both of whom wrote the petitions. Their papers contain information of value as they conserve the older issues of the French party. (*Papers of Old Cong.*, xlviii., 13, 19, 89.) The fifth set of petitions were of a very different character. They are those signed by Tardiveau, whose purpose was to gain from Congress concessions of land for all the French and Americans in the Illinois. He had persuaded members of all parties to sign agreements with him to pay him one tenth of the land thus obtained for his trouble. His petitions contain few details and statements of fact, since he could not afford to prejudice Congress against any of his clients. They are very wordy and full of flowery phrases and in proportion to their length contain little of value. He had obtained copies of all the important memorials and papers in the Kaskaskia records and from these he drew his information; but since the copies he used are still in existence, they furnish better evidence than his interpretation of them. (See *post*, p. ciii. Tardiveau's petitions are in *Papers of Old Cong.*, xlviii., 119 *et seq.*)

[1] *Memorial of Timothe de Monbreun*, Va. State Lib.; *Kas. Rec., Court Record*, pt. ii., fols 2, 5.

[2] Hening, *Statutes at Large*, ix., 555; x., 308; this vol., p. 9.

At the next session there was an attempt to have the act continued, but without success.[1] On the fifth of January, 1782, the general assembly adjourned and, "the statutory organization of Illinois expired" and from that time there was no government resting on positive provisions of law in the Illinois country, until Governor St. Clair inaugurated the county of St. Clair in 1790.[2]

The reason for this action of the legislature of Virginia is to be found in the negotiations with the United States in regard to the cession of this territory. A bill to that effect was passed by the assembly as early as January 2, 1781; but the business dragged through several sessions of the United States Congress, and the cession was not consummated until March 1, 1784.[3] As is well known, it was not until 1787 that Congress passed an effective law regulating the government in the Northwest and not until the spring of 1790 that the governor appointed under that act reached the French settlements, so that during the period of eight years the people of the American Bottom were left to themselves to settle the problem of government as best they could.

After repeated petitions from the West and many accusations against officers, Virginia determined in the year 1782 to send a board of commissioners to these regions to investigate the claims against her and the whole question of the finances of the Western army. The accounts and bills as they had come to Virginia were greatly confused; for Montgomery, George, and other officers had made drafts without authority, and the amounts appeared large and were drawn for specie, so that fraud was suspected.[4] The commissioners did not start for the West until October. They sent from Lincoln county on December 4th a notice of their appointment and powers to Kaskaskia and Vincennes and

[1] *Jour. House of Del.*, Va., Oct. Sess., 1781; Boggess, *Immigration into Illinois* (thesis in MS).

[2] See Boyd, "The County of Illinois," in *Amer. Hist. Rev.*, iv., No. 4, p. 625.

[3] *Jour. of Cong.*, viii., 199, 203, 253; ix., 47 *et seq.*; Hening, *Statutes at Large*, xi., 571 *et seq.*

[4] Montgomery was authorized by Clark to draw on him and the treasury of Virginia; but the people preferred drafts on Pollock in New Orleans. These Montgomery was forced to give and justified his action before a court of inquiry in 1781. *Va. State Papers*, iii., 433. See also iii., 56, and instructions and letter of Governor Harrison, *Dr. MSS.*, 46J69, 72.

requested that word be sent to Cahokia and St. Louis. A meeting at the Falls of the Ohio was set for January 15th.[1]

On arriving at the appointed place of meeting, the commissioners found no one. They suspected that Clark and his officers were conspiring to keep the French representatives from them, for they learned that the clerk of Kaskaskia, Carbonneaux, and the delegates from Vincennes had arrived at the Falls and been sent away.[2] Whether their suspicions were correct or not it is impossible to say. If correct, the attempt was not successful; for the commissioners were overtaken at Logan in the spring by Winston and Carbonneaux. The latter made an accusation of ignorance and neglect of duty against the justices of Kaskaskia. He also recommended a stronger government for the country and said that some persons were setting themselves up as lords of the land. The commissioners believed that he represented the better elements of his village, instead of a minority as was the case. Winston did not make any deposition at this time. He accompanied the commissioners to Richmond, where he died in great poverty in the year 1784.[3]

Winston and Carbonneaux were not the only ones to carry memorials to the commissioners. On March 1st, the members of the French party sent off a ten-page petition concerning the affairs in the Illinois, in which, although they tried to confine themselves to claims for payments, as they had been instructed to do by the commissioners, they recur now and then to the hardships which they had endured. At about the same time another memorial, signed by most of the men opposed to Winston, was forwarded and in this was given in detail an account of the double

[1] *Va. State Papers*, iii., 327, 389; *Kas. Rec., Notice and Letter.*

[2] In his journal Colonel Fleming, one of the commissioners, is very outspoken about his suspicions. (*Dr. MSS.*, 2zz69). From the same journal it is evident that Carbonneaux and the delegates from Vincennes were at the Falls in time for the meeting on January 15. Winston did not start from Kaskaskia till the 21st of the month and the delegate from Cahokia, Fr. Trottier, left sometime in March. (See *post*, p. 145). All the representatives were at Fort Nelson on March 30th and wrote a letter to Clark from there. (*Dr. MSS.*, 50J80).

[3] The deposition of Carbonneaux is obtained from an extract sent by Walker Daniel to the commissioners February 3d in *Dr. MSS.*, 60J3 and *Va. State Papers*, iii., 430; notice of Winston's death in *Dr. MSS.*, 4J37. I regret that I have been unable to see the journal of this board of commissioners, which is in the Va. State Lib. Dr. Eckenrode, the state archivist, has furnished me with a few extracts from it, but there was no way of finding out what would be of use to me except by having the three hundred odd pages copied and this I was unable to have done.

dealing of the county lieutenant, who had told the military officers that the French must be ruled by the bayonet while he was urging the French to oppose further levies; and the memorialists further declared that Winston was responsible for the lawless condition which prevailed in the country.[1]

Those who had given freely of their goods for the support of the American cause were never to receive full recompense for their services. Most of the bills which were presented were finally paid by Virginia, but not until they had passed into the hands of speculators such as Bentley and Dodge, who had given to the original holders a very small percentage of the face value of the claims. Later the United States attempted to compensate the French people for the losses they had suffered by granting them concessions of land; but the delays were so long, their needs so pressing, and their foresight so poor that the men to whom the grants were made sold them for a song to land-jobbers and speculators, long before the difficult land question of Illinois was finally settled a generation after the occurrence of the events for which the French and others had ruined themselves.[2]

Between the appearance of the Virginia commissioners in January, 1783, and that of Colonel Harmar in 1787, the Illinois people were almost completely isolated. On account of the destruction of the documents which would have furnished information on the events of the period, the view we obtain of the men and affairs is a very hazy one. This, however, is evident. The experience of the Kaskaskians during the years of the American occupation had unfitted them to rise to the dignity of self-government and the anarchy only grew worse; whereas in Cahokia the court founded by Todd remained in power and was able to preserve order. The difference in the destinies of the two villages can only be ascribed to the presence of the turbulent frontiersmen

[1] They are both in the *Menard Col., Tard. Papers*, the first an original MS., the other a copy by the clerk.

[1] *Amer. State Papers, Pub. Land, passim; Record-Books* at Chester, Ill. When the United States accepted the cession of the Northwest from Virginia, it was agreed to reimburse the latter for all claims for necessary supplies to Clark, provided they were allowed before September 24, 1788. Many bills were presented and allowed before that time (Winsor, *Westward Movement*, 247); but many still remained in the hands of the French unpaid. (Smith, *St. Clair Papers*, ii., 168.)

in the southern village; for the inhabitants of the villages were of the same origin, and their experience had been practically identical except for the few years of the Virginia period.

We have already seen that many traders came into the Illinois in the spring of 1779 and others had followed them. Besides these several soldiers of the Virginia line made permanent settlements in the neighborhood. In the summer of 1779, Montgomery permitted a number of families to settle, "up the creek about thirty miles," and this probably marks the date of the beginning of Bellefontaine, the first village of Americans north of the Ohio River.[1] In 1781, after the abandonment of Fort Jefferson, several families which had established themselves around that post came to Kaskaskia and some two years later made a stockade at Grand Ruisseau, which was under the bluffs at the point where the road from Cahokia to Kaskaskia mounts the hills.[2] The leading men in these settlements were James Moore, Henry and Nicolas Smith, Shadrach Bond, and Robert Watts. The number of Americans scattered on the bluffs, in the villages, and on the bottom was over one hundred, most of whom were in or around Kaskaskia.[3]

If order was to be maintained, it was essential that these scattered communities should be brought into some relations with the courts of the French villages. On July 9, 1782, while the the justices were still holding sessions, fourteen of the Americans at Bellefontaine petitioned the court at Kaskaskia that they be permitted to maintain a subordinate court in their village and that either some one should be appointed justice of the peace or they should be allowed to elect one from among themselves to that office; and they expressed a desire to live under the laws of the county and to be united with the other villages. This petition was granted and an election was held, in which Nicolas Smith received ten votes and James Garretson five. The certificate of election

[1] Montgomery to Clark, *Dr. MSS.*, 49J74.

[2] Reynold, *My Own Times*, 59.

[3] In a contract with Tardiveau in the summer of that year, there are 130 signatures of Americans.

was written by James Moore, who signed himself captain.[1] The organization of the village of Grand Ruisseau did not take place till the year 1786. Since it was in the district of Cahokia, the petition was sent to the court sitting in the village of that name. On January 2d the Americans were permitted to elect a commandant, subordinate to the commandant of Cahokia, and to name arbitrators to decide disputes, but they were to remain subject to the jurisdiction of the court. Robert Watts was appointed commandant.[2] It was not until the next year that Grand Ruisseau received a justice; but, since the permission to elect such an officer was dependent on events which occurred in Kaskaskia, the account will be postponed to the proper place.[3]

The submissiveness of the Americans to the Kaskaskia court did not last long and in their attempt to gain the control of the government, after the abolition of that body by Winston, confusion and disorder reached a climax; and anarchy was made more complete by the drunkenness, insubordination, and lawlessness of the French *coureur de bois* and the *voyageurs*.

Affairs were further complicated by the presence of British merchants, who had rushed into the region to capture the Indian trade. The Michillimackinac company, which had a store at Cahokia, was particularly conspicuous in this competition. The British were able to undersell the inhabitants in their commerce with the Indians and, since this deprived the villagers of a trade which they thought rightfully belonged to them, it was the cause of several complaints.[4] All the British who appeared in the West were not simply traders. The British government, which looked with covetous eyes on these rich lands, sent agents into all parts to report on the disposition of the people. Some of these, although not authorized by their government, openly urged the French people to unite with England, an issue out of their

[1] *Kas. Rec., Pol. Papers.*

[2] See *post*, p. 217.

[3] See *post*, p. cxlviii.

[4] *Papers of Old Cong.*, xxx., 453, xl., 113; Smith, *St. Clair Papers*, ii., 174; Edgar to Clark, *Dr. MSS.*, 53J55.

troubles which would not have been altogether unacceptable to the Illinoisans.[1]

Over this turbulent population the Canadian nobleman, Jacques Timothe Boucher Sieur de Monbreun, had been appointed governor by Winston. He had been born in Boucherville about thirty-six years before. While still a young man, he had sought his fortune in the West and established himself at Vincennes. He there won the confidence of Lieutenant Governor Abbott during the latter's short stay in the village and was employed by him as a confidential messenger.[2] He had readily united with the people of Vincennes in acknowledging the sovereignty of Virginia, influenced by the persuasive eloquence of Father Gibault. He was appointed lieutenant in the militia of the village, and was one of the officers captured by Hamilton, when the British retook the place.[3] De Monbreun later enlisted in the Illinois battalion and received the commission of lieutenant, a position he held with honor until the fall of 1782, when the necessities of his family compelled him to ask for his discharge and pay. His letters to Clark show him to have been a man proud of his lineage and with a sensitiveness in matters of honor.[4]

Exactly what his party affiliations were, previous to his appointment, it is impossible to say. He was connected by marriage with the Bauvais family. He ran for office in 1782 and received only one vote. His appointment as deputy county lieutenant would indicate a close relation to Winston, particularly as the other official appointed at this time, the clerk Langlois, is known to have been of that party; yet his service in the army would show some association with the military party, with which Winston does not appear to have been on the best of terms; and his later actions connect him closely with John Dodge. Every-

[1] *Papers of Old Cong.*, xli., 113; Smith, *St. Clair Papers*, ii., 101; this vol., p. 571; McLaughlin, "The Western Posts and the British Debts," in *Annual Report* of Amer. Hist. Assn., 1894, p. 413; Winsor, *Westward Movement*, 373; Green, *Spanish Conspiracy*, ch. xviii.

[2] *Can. Archives*, B., 122, p. 103; Tanguay, *Dict. Genealogique*, i., 71, 73, ii., 383, 388.

[3] *Can. Archives*, B., 122, p. 234.

[4] Letters and certificates of De Monbreun, *Dr. MSS.*, 51J24–26; 50J70.

thing considered, it is probable that his appointment was not favored by the French party.

On January 8, 1783, Winston issued to him the commission of deputy county lieutenant and gave him the following instructions for his guidance: "On every occasion that shall offer to claim your protection in behalf of the people as well as to support the cause of the States, you will act in concert with the oldest inhabitants in order to consider jointly with them the most proper measures to take concerning the affairs which may arise.

"For your direction I cannot direct you to a better guide than the 'Code of Laws and Articles of Right' which his Excellency the Governor has sent and which ought to be in the office of the court. These you will consult from time to time and mitigate as much as possible by the old customs and usages of this country. By adding to this your knowledge of jurisprudence you cannot fall into error. . . .

"As there is nothing else which occurs to me to call to your attention, I rely on your prudence and experience as to unforeseen cases. I wish for you a better success in preserving peace than I have had."[1]

The wish was almost ironical, for the conditions in Kaskaskia were growng steadily worse rather than better, and for this Winston was in part to blame. On account of the discontinuance of the sessions of the court through Winston's act, the deputy county lieutenant no longer had the moral support of the best citizens for the preservation of order. For the next few years De Monbreun was generally the only judge and at times he is satisfied to sign this less pretentious title to his name; but the petitions were addressed to him as county lieutenant. It is evident that the government in Kaskaskia had reverted to the older French type, wherein executive and judicial functions were exercised by one man. That there was a great deal of judicial business carried on is proved by the numerous petitions and other legal documents. The notary, Langlois, also found something to do, as is shown by the inventory of instruments drawn up by

[1] Enclosure in *Memorial of Timothe de Monbreun*, Va. State Lib.

him. In 1783 there were indexed eighty-five titles and in the next year, eighty-seven.[1] In the year 1784, for a short time, Aimé Compte, the last president of the former court, reappeared and styled himself, "judge in the village and district of Kaskaskia". In a petition of June 16, there is mention of "De Monbreun, the late commandant". It is possible that this marks some political upheaval which for a time overthrew the deputy lieutenant. This may have been due to the assertion of the rights of the district against the village, for Aimé Compte was from Prairie du Rocher; but if that is the explanation, the revolution was not successful, for De Monbreun's activities as governor and judge can be traced up to the latter half of the year 1786.[2]

Besides attending to the legal affairs of the district, De Monbreun managed to maintain peaceful relations with the Indians. Raids were becoming more frequent and dangerous during these years. The county lieutenant held several conferences with the savages as did the commandants of the other villages. He spent the public money and private funds, furnished by himself and the militia officers, to satisfy their demands. By these means a partial treaty was effected, which in a measure protected the Illinois country.[3]

He was also called upon to maintain the honor of the United States against the infringement of her rights by Spain. In 1785 two deserters from St. Louis took refuge in American Illinois. Cruzat, the commandant of St. Louis, seized these upon the soil of the United States and carried them back to the Spanish village. The action of De Monbreun in the case shows him at his best. In a very dignified letter, dated October 12th, he pointed out to the Spanish governor of New Orleans the illegality of the act and the insult which had been offered to the United States.[4] On the whole, however, the relations between the officials of the Spanish possessions and those of the Illinois were most friendly.

[1] *Kas. Rec., Inventory.*

[2] *Kas. Rec., Petitions*; *Amer. State Papers, Pub. Lands*, ii., 206.

[3] *Memorial of De Monbreun*, Va. State Lib.; Mason, *John Todd's Record-Book*, 315. In this last the date has been transcribed incorrectly or some other error has been made, for De Monbreun had no civil office in February, 1782.

[4] *Memorial of De Monbreun*, Va. State Lib.

Many letters passed between them on a variety of subjects, generally of a legal character. In fact, it was the policy of Spain at this time to propitiate the French and the Americans of the West, in order to persuade them either to revolt against the United States and unite with the Spanish colonies or to emigrate to the western bank. There has been preserved an interesting letter, the motive of which must be found in this policy. Shortly before the episode of the Spanish deserters, Cruzat wrote to De Monbreun that the merchants of American Illinois might have the protection of the Spanish convoy in sending down their merchandise to New Orleans.[1]

Where De Monbreun failed in his government was where Todd and Winston had failed before him, namely in preserving peace between the factions. In his memorial to Virginia he has recorded the policy which he adopted, "in quieting the animosities between the French Natives and American Settlers." He writes: "Without troops to oppose the hostile designs of the savages, without any coercive means to keep under subjection a country where a number of restless spirits were exciting commotions and troubles, the greater circumspection and management became necessary, and the Commandant was induced to temporize with all parties in order to preserve tranquillity, peace, and harmony in the country."[2]

The temporizing of De Monbreun meant that he permitted the American settlers, who had found in John Dodge a leader of force and ability, to control the village. These men understood better than the French the anomalous position of Illinois—no longer a part of Virginia and not yet under the control of the United States — and took advantage of it. Many of them had obtained concessions of land from the court and many more from De Monbreun, who was particularly free-handed in making grants.[3] It is very probable that the Kaskaskia government was not strong enough to deny or limit such concessions. A good example of

[1] *Memorial of De Monbreun*, Va. State Lib.

[2] *Ibid.*

[3] Smith, *St. Clair Papers*, ii., 169.

the illegal occupation of land is offered by the case of this same John Dodge. He seized the old French fort on the bluffs, and fortified it with building materials and two cannon from the Jesuit building, known as Fort Clark, and was prepared from this vantage ground to defy what was left of the civil government in the village; for the site commanded the defenseless community below.[1] For this seizure of public property there was not the slightest authority, but no one dared to oppose the act. Dodge was so audacious and the fort so favorably situated that his influence was unquestioned in the village, and both the deputy county lieutenant and the people were compelled to do his bidding.[2] He was far more successful than Winston in building up a party among the French by persuasion and intimidation. One of the former judges, Nicolas Lachance, became his chief supporter, and several of the others appeared ready to follow his lead. From the glimpses we obtain of the French people, they appear to have acknowledged the supremacy of the strongest and to have cringed in a most unmanly manner before the energetic American, or as a writer to Congress at a later time says: "But seeing they could not give any information of their unfortunate condition and consequently obtain any redress, they began the most shamefull slavery, by flattering their Tyrant and serving him in the most humiliating manner."[3] Dodge, in turn, bullied the people, struck them with his sword, insulted them, and fought with them.[4]

[1] *Papers of Old Cong.*, xlviii., 19; this vol., p. 569. The occupation of the fort on the bluffs by Dodge caused the old fort in the Jesuit building, which was known as Fort Gage under the British and Fort Clark under the Virginians, to be forgotten, and the villagers came to speak of the former as the fort, so that men like Mann Butler and John Reynolds, coming later to Kaskaskia, supposed that it was the Fort Gage captured by Clark in 1778 and thus caused a controversy, curious if not very profitable, over the site of the fort and Clark's maneuvers. (Butler, *Hist. of. Kentucky*, 52; Reynolds, *Pioneer Hist.*, 72; for the history of controversy, see Winsor, *Nar. and Crit. Hist.*, vi., 719, note 1.)

[2] *Papers of Old Cong.*, xxx., 463; xlviii., 19.

[3] *Ibid*, xlviii., 13.

[4] The fullest information in regard to Dodge is contained in the petitions to Congress of the year 1787. These were written by that faction of the French party which remained unreconciled after the visit to Kaskaskia of Colonel Harmar. (See *post*, p. cxxxvii.) The writers were Father de la Valiniere and the clerk, Pierre Langlois. They exhibit such hostility and animosity against Dodge that their testimony should be suspected, were not some of the facts mentioned by them supported by other witnesses. Governor St. Clair wrote in 1790 that: "The Illinois regiment being disbanded a set of men pretending the authority of Virginia, embodied themselves and a scene of general depdreation and plunder ensued." (*Amer. State Papers, Pub. Lands*, i., 20.) The whole French party united on June 2, 1786, in a petition to Congress in which they made charges against Dodge similar to those of De

The people found difficulty in making their condition known; for Dodge was powerful and had many friends, so that his story was generally believed. He himself drew up a petition to Congress in June, 1784, asking that Illinois be created an independent state, and found seventeen French inhabitants to sign it, most of whom belonged to the least intelligent of the community; eight were unable to sign their names, one was a woman, and of the other eight, only four had held office. They were not even all from Kaskaskia; one was an inhabitant of Vincennes, and the names of several of the others do not appear in any list of French inhabitants of the Illinois. The other signatures were those of Americans.[1] The French party, a few months later, appointed Major Lebrun called Belcour to present their grievances to Congress. Petitions were prepared in both Cahokia and Kaskaskia, but Dodge "prophetsyed, concerning him, be certain he shall never bear the west coat that he asketh." This prophesy was fulfilled, for the bearer of the petitions was killed on his way east near the Falls of the Ohio.[2] A copy of the petition from Cahokia finally reached Congress, but not until it had been somewhat disguised and changed.[3]

Dodge maintained his ascendency in the village until 1786, in which year the inhabitants became thoroughly aroused and finally succeeded in overthrowing this representative of "Greek tyranny." The initial impetus to this action probably came from George Rogers Clark, who had always entertained a poor opinion of Dodge. In a letter he wrote to Congress in May, recommending that body to establish a government in the

la Valiniere but without so many details. (*Papers of Old Cong.*, xli., 113; see *post*, p. cxxx) In the placard of Commissioner Janis (See *post*, p. 495) there is an unmistakable reference to the seizure of building material from Fort Clark. In the record of the court held by De Monbreun the influence of Dodge is very evident and that in a case mentioned by De la Valiniere. (*Kas. Rec., Court Record*). Several papers in a suit brought by Madame Bentley against Dodge, give witness of his violence. (*Kas. Rec.*) There should be added to these the succession of events which occurred after the departure of Dodge and his later attack on John Edgar. (See *post*, p. cxlii.) For these reasons it seems proper to accept the testimony of the leaders of the smaller faction as that which would have been given by the prominent Frenchmen at an earlier date, had they had occasion to write about the same events.

[1] *Papers of Old Cong.*, xxx., 435.

[2] *Ibid*, xlviii., 19.

[3] See *post*, pp. 567 *et seq.*

Illinois, he says that he had advised the French to revive their former magistracy.[1] There is nothing to show, however, that any steps were taken in Kaskaskia at that time; but an opportunity was afforded shortly afterwards by the presence of Joseph Parker to send a communication to Congress.[2] On the 2d of June a very earnest petition was drawn up asking for an immediate government, because of the wrongs the inhabitants were suffering from the British merchants, who threatened to take the country under the law of that nation, and who were supported by John Dodge and Nicolas Lachance. These last had made themselves commandants and were acting most tyrannically.[3] With this petition they sent a copy of the one which had been written by the Cahokians in 1784, but which had never reached its destination. This was now somewhat altered so as to give it the appearance of being also directed against Dodge.[4]

The petition from the French party was read in Congress on the 23d of August and caused that body to change its action, after it had supposed that two petitions from the French had already been considered. The first had been presented by Carbonneaux, former clerk and follower of Richard Winston, and had asked for some one with powers to govern;[5] the second was the petition prepared by Dodge on June 22, 1784, which, being accompanied by a letter from the county lieutenant, De Monbreun, had an official appearance. Action had been taken on these two in February and March, 1785, and it had been decided to send a commissioner to investigate titles, to have magistrates elected, and to reform the militia; but for some reason no commissioner was sent.[6] On December 28, 1788, three years later, the secretary called the attention of Congress to this omission, but the needs, for which the commissioner was to have been appointed, had already

[1] *Papers of Old Cong.*, lvi., 279.

[2] I have found nothing concerning Parker.

[3] *Papers of Old Cong.*, xli., 113.

[4] See *post*, p. 569.

[5] *Papers of Old Cong.* xxx, 453.

[6] *Ibid*, xxx, 431., 483

been supplied by the ordinance of 1787 and the appointment of Governor St. Clair.[1]

Upon the receipt of this third petition, Congress instructed its secretary to inform the inhabitants that "Congress have under their consideration the plan of a temporary government and that its adoption would not be longer protracted than the importance of the subject and a due regard to their interest may require."[2] In accordance with instructions the secretary sent the message, employing as messenger the same Parker by whom the Kaskaskians had sent their petition.

During this critical period the French party received an important addition. For some years the only priest in the region had been Father Gibault, whose assistance to Clark has made his name so well known in the West. He had taken up his permanent residence in Vincennes, and therefore the churches in the American Bottom were neglected.[3] Gibault had been sent by the bishop of Quebec, and his right to exercise his duties still rested on that earlier appointment. But now the Catholic Church of the United States had received a head in the person of the Prefect-Apostolic John Carroll, whose jurisdiction was extended to the Mississippi valley. The first priest sent by him to this district was the wandering Carmelite, Father St. Pierre, who undertook the charge of the parish in Cahokia in 1785 and continued there until 1789.[4] Sometime in the summer of 1786 the Rev. Pierre Huet de la Valiniere arrived at Kaskaskia with an appointment as vicar general of the Illinois.[5] He was the kind of man needed to draw the French out of the stupid timidity into which they had

[1] *Papers of Old Cong.*, clxxx., 11.

[2] *Journals of Congress*, iv., 688.

[3] Shea, *Archbishop Carroll*, 469.

[4] *Ibid*, 272; this volume, pp. 630, n. 78, 259, 269, 393.

[5] *Amer. Cath. Hist. Researches*, New Ser., ii., No. 3. In this magazine the editor, Mr Griffin, has published the most important papers on the life of De la Valiniere, where may be found the various disputes between him and the other priests. It is impossible to discuss them here, but Gibault claimed to be vicar general under his appointment by the bishop of Quebec and was unwilling to acknowledge the superiority of the new appointee. The matter was peaceably adjusted by the Canadian bishop withdrawing his jurisdiction from this region. (Shea, *Archbishop Carroll*, 466.) De la Valiniere entered into a dispute with Father St. Pierre also, but the latter was supported by the Cahokians, who appealed to the bishop of Quebec.

fallen. By nature he was impulsive and erratic, but full of enthusiasm for any cause to which he had given himself. In the year 1779 he had been expelled from Canada for his open espousal of the American cause;[1] later he came to the United States and served at Philadelphia and at New York. He was now sent to a region where his peculiar talents would have an immediate effect, and, since the French regarded him as a representative of the United States, to which the Illinois now belonged, his advice carried great weight.[2] It was undoubtedly his example and inspiration that encouraged the French to continue their resistance to the tyranny of Dodge.

Before the return of the messenger who had carried their petition to Congress the French people had themselves taken steps to gain control of their civil government. They first brought about, in July, the appointment of Maturin Bouvet of St. Philippe as civil and criminal judge. On August 14th Timothe de Monbreun, who had supported Dodge, resigned his office of deputy county lieutenant and appointed in his place a man who had consistently supported the French party, Jean Baptiste Barbau of Prairie du Rocher.[3] It is noticeable that neither of the two newly appointed officers was a Kaskaskian.

Barbau was a man well advanced in years, when he was called upon to lead the French in their struggle for political liberty. In 1746, when he married his first wife, he was over twenty-five, so that in the year 1786 he must have passed his sixty-fifth birthday. His parents were not Canadians, but had come directly from France to New Orleans, where he was probably born.[4]

The long expected reply from Congress was brought to Kaskaskia by Joseph Parker in January, 1787. The people were eager to learn its contents, and sent in haste to Barbau at Prairie

[1] Hald. to Bish. of Quebec, *Can. Archives*, B., 66, 161.

[2] Shea, *Archbishop Carroll*, 145; *Amer. Cath. Hist. Researches*, New Ser., ii., No. 3.

[3] *Kas. Rec., Petitions*; *Memorial of De Monbreun*, Va. State Lib. De Monbreun remained only a short time in Kaskaskia after laying down his office. The records show him still there in 1787, but after that he appears no more. He went to Tennessee and at an advanced age died in Nashville in 1826. He had accumulated considerable property which he left to his children. (Chester *Probate Records*, March 19, 1827, Randolph County.)

[4] Marriage contract, *Cah. Rec.* in, Belleville, Ill.

du Rocher that he might come and open it. But the deputy county lieutenant being ill and unable to come gave his permission to the clerk to read the communication to the inhabitants.[1] There must have been some disappointment felt when they heard that the government for which they had so ardently hoped was not yet to be established, but was still to be determined upon. However, they had succeeded in communicating with Congress, which was some consolation.

At almost the same time an emissary appeared from a different quarter. George Rogers Clark had, during the fall of the previous year, led a force of Kentucky militiamen, without the authority of the United States, against the Indians in the Northwest territory. He then decided to garrison Vincennes, and now sent John Rice Jones to buy provisions in the Illinois, where some of the merchants had promised him assistance.[2] The name of Clark had always been honored by the French, for they still remembered the kind but firm rule they had enjoyed during that year when he held not only the military but the civil authority. They were therefore easily persuaded that Clark and this agent represented the United States. Jones was well received and his purchases were guaranteed by a prominent American merchant, John Edgar, whose relations with the French were far more kindly than those of his fellow countrymen.[3]

Dodge, who had never forgiven Clark for his suspicions, and

[1] The letter from Barbau is torn so that there remains of the date only the year and "anvier." *Kas. Rec., Letters.*

[2] For the expedition of Clark see Winsor, *Westward Movement*, 275 *et. seq.*; *Secret Journals of Cong.*, iv., 313, but see also pp. 301 *et seq.*

[3] *Papers of Old Cong.*, xlviii., 19. John Edgar was born in Belfast, Ireland, of Scotch-Irish parents. During the years 1772–1775, he commanded a British vessel on Lakes Huron and Erie. He then went into business at Detroit, where he was arrested on August 24, 1778, for corresponding with the Americans, and remained in prison until 1781, when he escaped. He had learned while in prison of the treasonable correspondence of the Vermonters with the British government and by giving information concerning it won the confidence of Washington, George Clinton, and Congress. In 1784 he went to Kaskaskia to establish himself in trade. The trying years which followed almost drove him to cross to the Spanish bank; but with the coming of Governor St. Clair conditions became better and he was appointed to important positions under the new government. For twenty-five years he held the office of justice of the Court of Common Pleas. During this time he purchased many of the land claims of the French for a few dollars and in the course of years became the richest land owner of the American Bottom. In 1798 Congress voted him 2240 acres of land in consideration of his losses in Canada during the Revolutionary War. He died in 1830. Roberts, *Life and Times of General John Edgar, Address* in MS. to be printed in *Transactions* of Ill. Hist. Soc., for 1907; *Amer. State Papers, Pub. Lands, passim*; see *post*, p. cxlii. *et seq.*

who, in this case, had right on his side, since Clark was acting in a most illegal manner in invading the territory of the United States, opposed the collection of supplies by Jones and was powerful enough to prevent any sales. Jones went to Vincennes, however, and returned with troops. The narrator's account of what then occurred is interesting. "Mr Jones seemed a fine gentleman who caused no hurt to any body, but entered in the above said fort on the hill occupied by john Dodge. he threatened him to cast him out from it if he continued to be contrary to America, as he was before. he stood there some days with his troops, during which time the wheat had been delivered peaceably and no body has been hurted."[1]

With the rising anger of the French and the promised assistance of Clark, Dodge began to feel that his position was becoming a dangerous one. He therefore collected his property and sometime in the spring crossed to the Spanish side, leaving a farmer to guard the fort and such of his possessions as he left there.

With the departure of Dodge all difficulties were by no means overcome. Since the expected authority from Congress to form a government did not arrive, the people began to clamor for some immediate form of judiciary, and they naturally turned to the government which had been established by John Todd. They knew no other nor was there any semblance of legality to be found except in the revival of their former civil organization. The final decision to revive the court came from the people and not from the county lieutenant, who, however, when consulted gave his unqualified approval.[2]

The clamors of the Americans, who numbered over one hundred, were heeded in this new establishment and they were given the franchise. Unfortunately for the French party the newcomers were more familiar with the use of the ballot, and by concentrating their votes were able to elect three of their own number to office. These were Henry Smith, John McElduff, and Thomas Hughes. The other three candidates elected were Antoine

[1] De la Valiniere in *Papers of Old Cong.*, xlviii., 19.

[2] Barbau to Langlois, May 2, *Kas. Rec., Letters.*

Bauvais, François Corset, and J. Bte. Bauvais.[1] These last had all held office before. Henry Smith was made president of the court. He was about fifty years old, and had come from Virginia to Illinois in 1780 and settled at Bellefontaine.

The first session was held on June 5, 1787, probably without the presence of the French justices, who were not willing to admit Americans to the bench. At this session no business was transacted.[2] On the 7th of July the French justices posted on the door of the church a memorial addressed to the people, in which they set forth their objections to serving on the same bench with the Americans. The chief difficulties they raised were the impossibility of the American and French judges understanding each other and the hopelessness of finding an interpreter capable of successfully performing his duties. The protest contained their definitive decision, and the two parties were compelled to separate. The result was that the Americans outside the village were turned adrift, and Bellefontaine, from this time, ceased to belong to the Kaskaskia district.[3] An agreement was drawn up the day after the protest, in which the signers promised that the court should remain French as it had been constituted by John Todd, and that the Frenchmen receiving the next largest number of votes should be added to the list of judges. These were Vitale Bauvais, Nicolas Lachance, and Louis Brazeau. The number of signatures was not large, but the presence of John Edgar's name gave some promise that his influence would be thrown on the side of peace.[4] The presence of the three members of the

[1] Certificate of election by Barbau, *Kas. Rec.* I prefer to explain the composition of the court as above rather than to regard it as the result of agreement, because the protest of the French justices, noted below, would have been made before rather than after the election, if there had been any agreement to divide the court between the two classes of inhabi ants.

[2] Mason, *John Todd's Record-Book*, 308; *Kas., Rec., Petitions*. The government thus revived is probably the one to which Colonel Harmar refers, when he writes: "There have been some imposters before Congress particularly one Parker, a whining, canting Methodist, a kind of would be governor." (Smith, *St. Clair Papers*, ii., 35.) In a petition to Congress written by Tardiveau, who favored the American party in the Illinois, it is said: "That a simple report of a committee of Congress recommending the situation of the Illinois country has been by some designing persons palmed upon them for a frame of government actually established." *Papers of Old Cong.*, xlviii., 209.

[3] See *post*, p. cxlviii.; In Mason, *John Todd's Record-Book*, 312, there appears a jury trial attended by several Americans from Bellefontaine. They were probably called in on account of an insufficiency of Americans in the village to form a jury.

[4] Both papers in *Kas. Rec.* The record of the sessions of this court may be found in the back of *John Todd's Record-Book*, 308 *et seq.*

Bauvais family among the justices may be explained by the fact that few important French families had remained in Kaskaskia during these trying years, for the majority had preferred to seek refuge under the Spanish government.

The question of the court had hardly been settled, when Colonel Harmar, who commanded in the Northwest, appeared in the village with some United States troops. He had been sent to the Illinois to make a general inspection of conditions, particularly to put an end to the anarchy at Vincennes due to Clark's garrison, and arrived at Kaskaskia on the 17th of August.[1] He was accompanied by Barthélemi Tardiveau, a French mercantile adventurer, who had had relations with the Kentucky separatists[2] and was a personal friend of John Dodge, with whose brother he had lived at the Falls of the Ohio.[3] Tardiveau had very little knowledge of the conditions existing in the Illinois other than what he had learned from the Dodges; but Harmar was persuaded that he was the best informed man in the country and made him his interpreter and chief adviser.[4] Dodge returned to his fort above Kaskaskia where he entertained the colonel, whose associates from this time were almost exclusively members of the Dodge party. Even after Harmar had visited the orderly village of Cahokia, his opinion of the French still remained somewhat affected by the influence of these men, so that he reported: "I have to remark that all these people are entirely unacquainted with what the Americans call liberty. Trial by jury etc. they are strangers to. A commandant with a few troops to give them

[1] Smith, *St. Clair Papers*, ii., 22, note, 30 *et seq.*

[2] Roosevelt, Winning of the West, pt. v., ch. i. I have found several notices of Tardiveau to prove his importance in the development of the West, but such notices are so disconnected that almost nothing can be said of his life. He lived for a time in Holland and was later engaged in the fur trade at Louisville, before 1786. His influence with Governor St. Clair was as great as with Harmar, and he was appointed colonel of militia and judge of probate of St. Clair County. (Smith, *St. Clair Papers*, ii., 165.) He evidently did not remain long on the American side, for he was shortly afterwards at New Madrid and engaged in the Mississippi trade with Pierre Menard and others. This enterprise failed. (*Menard Col., Tard. Papers.*) In 1793, he was associated with Genet's scheme and was appointed chief interpreter. He died before 1800.

[3] *Papers of Old Cong.*, xlviii., 13.

[4] Smith, *St. Clair Papers*, ii., 31, 35.

orders is the best form of government for them; it is what they have been accustomed to."[1]

Although the majority of the French were ready to accept without question any disposition that might be made of them, some members of their party were by no means satisfied with the course of events. The leader of this faction was the Vicar General Huet de la Valiniere. His most important follower was the clerk, Pierre Langlois, who had been an adherent of Richard Winston and was an irreconcilable enemy of John Dodge. The priest, however, had lost all influence over the French by his own tyrannical methods. His was a nature to make enemies, and during the past year by his close adherence to the canonical law and his harsh and personal attacks in his sermons against individuals he had managed to stir up every community of the American Bottom against him.[2] He and his associates were not willing to give up the old issues against the Americans, and were particularly exasperated that Tardiveau, a friend of John Dodge, should be the spokesman for the villagers; for said they, "that frenchman who speaketh easily the English language is come lately here with Col. Harmar whom he inspired with sentiments very different from those which we could expect from a gentleman in his place. He deceived him in their way as he was himself deceived. He made him stay, live and dwell only in the houses of friends of Dodge, he accompanied him everywhere like his interpreter, but he could not show him the truth being himself ignorant of it, he gave allways an evil idea to every word proceeding from those who Dodge thought to be his enemies."[3] Tardiveau could not ignore this attack and declared that Langlois was opposed to any change in the regulations made by Todd. To justify himself Langlois, accompanied by the priest, presented himself before Colonel Harmar and said: "We desire and expect every day one regulation from the honl Congress, but now till it may come, having none,

[1] Smith, *St. Clair Papers*, ii., 32. A further proof of the influence of Dodge is given by Harmar's unfavorable opinion of Parker, who had carried the message of the French party to Congress. Harmar writes that he was very "unpopular and despised by the inhabitants." (*Ibid*, ii., 35.)

[2] See papers printed in *Amer. Cath. Hist. Researches*, New Ser., ii., No. 3.

[3] *Papers of Old Cong.*, xlviii., 19.

we did by common consent aggree to keep the same brought by Mr Todd, till the other may come, and Mr Tardiveau would do better to deceive not others as he is deceived himself." The narrative continues: "Afterward the same Mr Langlois having shown the above said proofs against John Dodge who was present, the said Dodge was so much angry that in the presence of the Lieutenant Makidoul [Ensign McDowell] with several others in the yard he did cast himself upon the said Mr Langlois and putting his fingers in his eyes and hair he would have made him blind, if the officer had not cryed against him."[1]

Harmar did not care to become mixed up in the local quarrel, which he probably regarded as beneath his notice, and gave his support to the government which had been established, so far as to tell the inhabitants to obey their magistrates.[2] Dodge, however, felt that the victory belonged to him, and after the departure of the troops assembled his friends in his fort and "fyred four times each of his great canons, beating the drums etc."

Harmar brought discouraging news to the American settlers, who had received land grants from the deputy county lieutenants and courts. They were informed that such titles had no legal value, since Congress had forbidden settlements on the north side of the Ohio.[3] This affected the villages of Bellefontaine and Grand Ruisseau. In this condition Tardiveau saw his opportunity. He agreed with the settlers to represent their case before Congress and obtain for each of them a concession of land, in consideration of one tenth of all land thus granted. The agreement was signed by one hundred and thirty Americans. He also represented to the French that their sufferings merited payment in land and offered to obtain for each of them a grant of five hundred acres on the same terms. The French had begun to learn the American habit of speculating in land, at least they thought they saw their opportunity to imitate that example, and most of them took advantage of the offer. In

[1] *Papers of Old Cong.*, xlviii., 19.

[2] Smith, *St. Clair Papers*, ii., 32.

[3] *Ibid*, 31.

all fifty-three signed the contract at Kaskaskia, as did also the most representative citizens of Cahokia. To Pierre Langlois this act seemed to be a surrender to the enemy and he realized that the French would never reap the benefit, as in fact they did not, for the majority were too indolent to cultivate the ground they already possessed. He therefore wrote a letter to Congress saying that the French had been deceived and were not in need of that form of relief.[1]

For the next year Tardiveau deluged Congress with petitions. They were long wordy affairs full of glittering generalities and flowery phrases. He had been given copies of all the previous petitions and other important papers, and out of these he wove a story to soften the hearts of the congressional delegates; but he was careful not to mention names or particular events of the last few years, for his constituents were of all the parties which had divided Illinois politics, and he wished to obtain lands for all. He painted the French as living in Arcadian simplicity, guided only by the dictates of conscience and innocently bowing to the hardships thrust upon them, but through all their troubles retaining an unbounded faith in the goodness of Congress and a faithfulness to the American cause. The Americans he pictured as making settlements with all faith in the power of the courts to grant land, and as being greatly surprised at the illegality of the titles thus obtained. He allowed himself to speak against Clark and his officers who, on account of the recent attack on the Indians and the garrisoning of Vincennes, were in little favor.[2] He found that George Morgan and his associates were attempting to obtain a grant of land for a colony in the same region and protected the interests of his constituents from them.[3]

Tardiveau was successful in arousing an interest in the French and gaining for them grants of land. Between the years 1788 and 1791 three laws were passed, either by the Continental Congress

[1] *Papers of Old Cong.* xlviii., 89.

[2] See his petitions in *Papers of Old Cong.* xlvii., 119, 123, 209; xli., 275.

[3] *Papers of Old Cong.*, xlviii., 89

or the Congress of the United States, by which four hundred acres were given to every head of a family living in the villages in the year 1783, and a hundred acres to those enlisted in the militia in 1790; to satisfy the Americans they were granted titles to lands which had been taken up under concessions of a supposed authority and which had been improved.[1] The history of these land grants belongs to a later era; for twenty years were to pass before the many difficulties arising out of them were settled. Sufficient for our purpose is the fact that very few of the petitioners or their families were benefited by the concessions, for, long before the claims were settled, the rights of the original grantees were purchased by American land speculators. That story is but a continuation of the present one, the supplanting of the French by the more virile Anglo-Saxons.[2]

While Tardiveau was thus representing the misfortunes of the Illinois to Congress, the Court which had been founded with such hopes had, after a short period of innocuous existence, passed away.[3] The French of Kaskaskia were not experienced enough to inaugurate a new movement after the events of the past years. Had they been left to themselves they might have succeeded as well as the Cahokians with self government; but their spirit had been broken, and their natural leaders had taken refuge on the Spanish shore. Influenced by the example of the Americans, the French themselves gave no obedience to the court which they had established. In 1789 John Edgar summed up the character of the people of Kaskaskia in these words: "It is in vain to expect an obedience to any Regulations, however salutary in a place where every one thinks himself master, & where there is not the least degree of subordination. You know better than I, the dispositions of a people who have ever been subject to a military power, & are unacquainted with the blessings of a free government by the voice of their equals. To the commands of a Superior

[1] A good account of these laws is given by E. G. Mason in Chi. Hist. Soc. *Col.*, iv., 192 *et seq.*; see also *Amer. State Papers Pub. Lands*, ii., 124.

[2] In Chester Ill. there are several record books containing the record of these sales of claims. The prices paid for each four hundred acres range from fifteen dollars upwards.

[3] Mason, *John Todd's Record-Book*, 313.

there are no people readier to obey; but without a superior there are none more difficult to be governed."[1]

The end of the court was without doubt hastened by the charge of illegality of its decisions made by the Kentuckians, who refused to recognize any civil organization in Illinois, saying that under the act of Congress, neither the people nor the commanding officer was authorized to appoint magistrates.[2] This reference is to the "Ordinance of 1787", which created a government for the Northwest and under which ordinance Arthur St. Clair was appointed governor in 1788; but, since the effects of this act were not extended to the Illinois till the spring of 1790, the people were without other authority than that which resided in themselves and were for the moment weakened by the ordinance itself, since it annulled all other jurisdiction than that which might be established in accordance with its decrees.

The history of the "Ordinance of 1787" does not fall, however, within the limits of this Introduction; but in one point it was to affect the Illinois seriously and immediately. It prohibited slavery in the Northwest. As soon as this was learned, the French supposed that the slaves which they had always owned would be set at liberty. This fear was used by the Spaniards to draw the inhabitants of American Illinois to their territory as settlers. In 1788 George Morgan, who was, as we have seen, well known in the lands on the Mississippi, was attempting to make a settlement at New Madrid. He had been disappointed in obtaining a grant of land for a settlement on the American side and so accepted the offer of the Spanish government for a large tract on the western bank.[3] He advertised extensively the advantages of the colony, where he had been accorded religious toleration and the free navigation of the Mississippi. One of the arguments he used was the action of Congress in making the land of the Northwest free soil. He attracted many French and Americans by this means in spite of the efforts of Tardiveau and Major Hamtranck, com-

[1] Edgar to Hamtranck *Dr. MSS.*, 2W124–142.

[2] Hamtranck to Harmar November 11, 1789, *Dr. MSS.*, 2W124–142. This was said of the court of Post Vincennes, but was equally true of Kaskaskia.

[3] Winsor, *Westward Movement*, 366.

manding at Post Vincennes, who tried to stop the emigration by assuring the French that Congress had no intention of freeing the slaves already owned in the territory, an interpretation of the ordinance which St. Clair later confirmed.[1]

Another cause of the emigration at this time was the danger to life and property from the Indians. Several tribes of the Northwest were on the warpath and had ceased to spare the villages, as they had previously been inclined to do, when the attachment of the French to the Americans was uncertain. The Miami, the Wabash, the Kickapoos, and the Pottawattamies were all accounted enemies and had made attacks on the unprotected settlements.[2] The villages in the Illinois suffered most, however, from the Piankeshaws of the Spanish bank, who were incited by the Spaniards to burn and murder until the inhabitants should be forced to take refuge under the Spanish government. A writer from Kaskaskia says: "It is well known that the minds of the Indians are continually poisoned by the traders on the other side, who set off America in the most despicable light possible, which has not a small influence with the Indians. Government may not encourage it, but surely if friends to us they ought to put a stop to it."[3] On October 8, 1780, John Dodge, who was glad enough of an opportunity to revenge himself, led a band of these Indians and some whites into the village of Kaskaskia and attempted to carry off some slaves belonging to John Edgar, the most prominent and one of the last Americans to cling to that village. Although he failed, the lives of Edgar, his wife, and John Rice Jones were for a time in the greatest danger.[4]

It is possible that the Spanish government did not send out such expeditions as that led by Dodge, yet the purpose accomplished by such a policy was in accordance with the instructions from the government, if we are to believe the report of Chouteau,

[1] Smith, *St. Clair Papers*, ii., 104, 113, 122, 170; *Donaldson to Governor Randolph*, January 29, 1780, *Va. State Papers*, iv., 554; Hamtramck to Harmar, March and August, 1780, *MSS.*, 1781-'90.

[2] Hamtramck to Harmar, *Dr. MSS.*, 1781, 59.

[3] Edgar to Hamtramck, October 28, 1780, *Dr. MSS.*, 1781-1782.

[4] *Ibid.*

who informed Edgar that "orders had been received from New Orleans by the Lieut. Gov^r of St. Louis, for him to make every difficulty possible with the people of this side, so that they might thereby be forced to go to live on the other."[1] That they might be induced to change their allegiance, Governor Miro issued a proclamation offering land gratis and other attractions to all new comers.[2]

A further means of inducing immigration was the enticement of the French priests to the Spanish side. Father Le Dru, who had succeeded De la Valiniere at Kaskaskia, Father St. Pierre at Cahokia, and later Father Gibault were persuaded to take parishes in the Spanish territory. The cause mentioned was not the only one which affected the priests; for they found the French of the American Bottom very indifferent about religion and both unable and unwilling to pay tithes, thus making it impossible for the priests to live among them.[3]

The result of the hardships which the French had endured during these years and the long deferred fulfilment of their dreams of peace and independence was a striking decrease in the population of Kaskaskia. We have seen that in 1778, when George Rogers Clark occupied the village, there were about five hundred white inhabitants.[4] In 1783 there were 194 heads of families. As thirty-nine of these were newly arrived Americans, the figures apparently prove that the French population had remained about stationary.[5] By the census of 1787, there were 191 male inhabitants in the village.[6] Counting 150 women and female children, which is probably too high an estimate for a frontier community, the population was about 341, which would mean a decided decrease. The period of the greatest emigration occurred between the years 1787 and 1790, when anarchy reached its climax in Kaskaskia, and the Spaniards were holding

[1] Jones to Hamtramck, October 29, 1789, *Dr. MSS.*, 2W124–142.
[2] Smith, *St. Clair Papers*, ii., 122.
[3] Jones to Hamtramck, October 29, 1789, *Dr. MSS.*, 2W124–142.
[4] See *supra* p. xvi.
[5] Mason, *Early Illinois Citizens*, Chi. Hist. Soc.'s *Collections*, iv., 198 *et seq.*
[6] *Papers of Old Cong.*, xlviii., 181.

out the greatest inducements to settlers on the western bank of the river. There has been preserved a list of the male inhabitants in Kaskaskia for the year 1790, in which the heads of families are enumerated. The number is 44.[1] This is a decrease of over 77 per cent in the French population of the village since 1783. This list is interesting on account of the names which are missing. Almost all the men who had been leaders of the French people throughout the period of the county of Illinois were no longer residents of Kaskaskia. We look in vain for the names of Cerré, Vitale, J. Bte., and Antoine Bauvais, Corset, Lasource, the elder Charlevilles, Morin, De Monbreun, Langlois, Levasseur, Lafont, Carbonneaux. They have crossed the river to seek peace and safety under the flag of Spain.

The picture of the village of Kaskaskia as described by its people in these last days in a petition to Major Hamtramck is one of utter misery and despair. They wrote: "Our horses, horned cattle & corn are stolen & destroyed without the power of making any effective resistance: Our houses are in ruins & decay; our lands are uncultivated; debtors absconded and absconding, our little commons destroyed. We are aprehensive of a dearth of corn and our best prospects are misery and distress, or what is more probable an untimey death by the hands of the savages.

"We are well convinced that all these misfortunes have befallen us for want of some Superior or Commanding authority; for ever since the cession of this territory to Congress we have been neglected as an abandoned people, to encounter all the difficulties that are always attendant upon anarchy and confusion. neither did we know from authority until latterly, to what power we were subject. The greater part of our citizens have left the country on this account to reside in the Spanish dominions; others are now following, and we are fearful, nay certain, that without your assistance, the small remainder will be obliged to follow their example."[2]

In the foregoing petition the people begged Major Hamtramck

[1] Mason, *Early Illinois Citizens*, Chi. Hist. Soc.'s *Collections*, iv., 209.

[2] *Dr. MSS.*, 2W124–142.

to send twenty soldiers with an officer to maintain order and to give them authority to establish a civil government. The petition was accompanied by a letter from John Edgar, who promised to furnish barracks and supplies for the soldiers at the very lowest price until the governor could make other arrangements.[1] This Hamtramck had no authority to do, nor could he afford to send the men; but he forwarded the petition, and so far exceeded his powers as to authorize the formation of courts of justice. These were never established, since justices without troops would have no means of enforcing the law.

The trials of the last year broke the courage of John Edgar, who had realized the possible greatness of the territory, and had used his influence to promote peace and to bring a government to the disordered and disheartened village. In November, 1789, he wrote: "The Spring it is possible I can stand my ground, surrounded as we are by Savage enemies. I have waited five years in hopes of a Government; I shall wait until March, as I may be able to withstand them in the winter season, but if no succour nor government should then arrive, I shall be compelled to abandon the country, & I shall go to live at St. Louis. Inclination, interest & love for the country prompt me to reside here, but when in so doing it is ten to one but both my life & property will fall a sacrifice, you nor any impartial mind can blame me for the part I shall take."[2] Edgar was not compelled to abandon the country of his adoption, for in the month designated Governor St. Clair arrived in the village of Kaskaskia.

The history of the village of Kaskaskia at which the county government had been established is the story of the prolonged suffering of the French population. Tyranny followed upon tyranny. After the Virginia troops had stripped the people, came John Dodge with his policy of terrorism, and when he had been overthrown and the French people had seized the power, their hands were too feeble to maintain order at home, and their village

[1] *Dr. MSS.*, 2wi24–142.

[2] *Ibid.*

became the prey of the savages and Spaniards. From this picture, it is a pleasure to turn to the village of Cahokia at the extreme north of the American Bottom. Here the troubles were somewhat similar in kind as those at Kaskaskia, but never so virulent and the court of the district of Cahokia was able to establish itself and its authority so securely that even the abandonment by Virginia and the United States could not shake it. The letter from the state's attorney, Joseph Labuxiere, printed in this volume draws the contrast between the conditions existing in the two villages in the following words: "The misunderstanding of the magistrates of Kaskaskia and the extreme disorder of the business of the individuals, occasioned by some persons greedy for money, have compelled me to withdraw with my family to Cahokia, where I have found the inhabitants filled with the unity of peace and fidelity to the states, and a court which the justices are careful to administer with equity to those who ask its help."[1]

Another fact gives striking proof of the condition described by Labuxiere. At the beginning of the period the population of Cahokia numbered about 300 inhabitants.[2] In the year 1787 a careful census was made and there were 240 male inhabitants, which would make the total population over 400, and in 1790 Cahokia was capable of supporting three companies of militia while Kaskaskia had but one.[3] Thus while Kaskaskia was decreasing, Cahokia was growing both in size and in importance, and becoming the "metropolis" of the American Bottom.

As far as can be learned François Trottier was the commandant of the militia throughout this period and it is due largely to his efficient administration of the police that the village prospered.[4] The justices were elected annually by the assembly of the people until the passage of the Ordinance of 1787, when, in anticipation of a new government, regular elections ceased and the same jus-

[1] See *post*, p. 589.

[2] See *supra*, p. xv.

[3] Mason, *Early Illinois Citizens*, Chi. His. Soc.'s *Collections*, iv., 216 *et seq.*; see *post*, p. 632.

[4] In 1785 Antoine Girardin held this office temporarily as did J. B. Dubuque at a later period.

tices continued in office. In August, 1788, there was an election of three magistrates to fill vacancies made by resignation. It was the last election held in the county of Illinois. The justices held their sessions with great regularity and their administration was admirable.

The relation of Cahokia to the county government was never very close. In fact the people of that village did not appear to have any very great respect for the Kaskaskians; for in their petition to Congress in 1786 they begged that body not to submit them to the jurisdiction of the southern village, because they knew "the incapacity, spite, and partiality of those who would exercise it."[1] The high sounding title of deputy county lieutenant meant little more than head of Kaskaskia. This at least was the feeling of the Cahokians, and the only hint that such was not the actual condition is the fact that Timothe de Monbreun made several journeys to Cahokia in order to negotiate with the Spaniards and Indans in the interest of the whole territory.[2] That he or any of the other deputies of John Todd really had the power to interfere in the affairs at Cahokia is not apparent from the records, and, in the absence of proof and in view of the actual powers exercised by the court of the village, it seems best to regard the county government as more formal than actual.

We have seen that the Kaskaskians complained of the establishment of the Michillimackinac company at Cahokia. From the year 1783 many British merchants found their way to the Illinois and established stores in the village. Among the names which occur are J. B. Perrault, representing Marchisseaux of Montreal, James Grant, Meyers, Tabeau, Guillon, William Arundel, John Askins, and others.[3] These merchants practically monopolized the fur trade of Illinois; but the Cahokians, finding that they interfered with the Indian trade as well, were strong enough to make regulations to protect their own interests and gave a limited monopoly of that trade to one of the citizens

[1] See *post*, p. 587.

[2] *Memorial of De Monbreun*, Va. State Lib.

[3] Narrative of Perrault in Schoolcraft, *Indian Antiquities*, iii., 355; this volume, *passim*; Smith, *St. Clair Papers*, ii., 174.

of the village and prohibited all sale of liquor to the savages by others.[1] When the Indian outrages reached their climax in the year 1789 and Kaskaskians were begging the military officer at Vincennes to send troops for their defense, the court of Cahokia still further regulated intercourse with the Indians and forbade all sale of liquor by any one.[2]

Exactly how the Cahokians were affected by the intrigues of the Spaniards in the later years, it is impossible to say. At the end of the record of the sessions will be found an unexplained punishment of a Frenchman from St. Louis who was evidently attempting to undermine the power of the court; but once again that body was equal to maintaining its authority and, from the complaint of the prisoner, it would appear that the support of the villagers was given to the government.[3]

Cahokia was not disturbed by the Americans in the same way as her sister village, for the American troops did not remain in the village after 1780 and very few individuals took up their residence there. Aside from the British merchants only four non-French names appear in the later years as actual citizens, Thomas Brady, Philippe Engel, Isaac Levy, and William Arundel, and of these the first three seem to have become completely gallicized and to have married French women. The American settlers who came in closest contact with the Cahokians resided at Grand Ruisseau, which fell within the district of the village. In 1786 they were permitted by the magistrates, as we have seen, to appoint a captain of militia, but they remained subject to the immediate jurisdiction of the court except in such cases as might be decided by arbitrators.[4]

Cahokia, however, was not to escape wholly without trouble from these neighbors. After the failure of the Americans in the spring of 1787 to capture control of the court of Kaskaskia the settlers of Bellefontaine and Grand Ruisseau determined to establish a rival and independent court, for which purpose

[1] See *post*, p. 73, 125, 215, 259, 575
[2] See *post*, p. 607.
[3] See *post*, p. 437.
[4] See *post*, p. 217.

they held an election and chose magistrates. If the movement had been confined to the first named village, which was in the district of Kaskaskia, the Cahokia government might not have made any opposition; but the inclusion of the village of Grand Ruisseau was an affront to the one French court which had proved its right to exist. Fortunately for the Cahokians, the leaders of the movement wished to supplant Robert Watts, their appointee, in his office of commandant. This aroused Watts to immediate action, particularly as his rival was James Piggott, a man who represented the more restless and impatient element among the Americans.[1]

Watts came to Cahokia and addressed the court in Ciceronian periods, pointing out the danger which threatened the law and order of the district by this innovation or revolution. The danger was not exaggerated. The court at Cahokia represented the only stable power in the Illinois at the time, and with a rival court of Americans at Grand Ruisseau and Bellefontaine, there would inevitably have followed disorders which might have taken on the character of a civil war between the two peoples. Certainly the two courts would not have acted together for the suppression of lawlessness. The action of the court of Cahokia was prompt and energetic. It prohibited the holding of any independent assemblies of the people or sessions of the court, and condemned the leaders of the movement to be put in irons for twenty-four hours and, in case they disobeyed the order of the court, they were to be driven from the territory. The magistrates of Cahokia were not weak. Their decrees were executed. In striking contrast to the timidity and inefficiency of the court of Kaskaskia is the action recorded by the *hussier* under that decree against the Americans: "The present decree has been executed the same day."[2]

This revolution occurred in August or early in September. The Cahokia justices now felt the need of taking some steps to

[1] Piggott was later appointed by St. Clair one of the first judges in the district of Cahokia. Smith, *St. Clair papers*, ii., 165; for some account of him see *post*, p. 190, note 1.

[2] See *post*, p. 597 *et seq.*

satisfy the demands of the Americans. Those at Bellefontaine belonged by right to the Kaskaskia jurisdiction, but to expect from the Kaskaskia French the maintenance of law and order was hopeless. Therefore, when all the Americans of the region petitioned for admittance to the district of Cahokia and the right of electing a justice of the peace at each of the two chief settlements, the petition was granted at the October session of the court, and the election of a justice and a militia officer at Bellefontaine and of a justice at Grand Ruisseau was confirmed on November 2d.[1] Thus around Cahokia there centered all the forces which made for peace and order, and even the American settlers, who had assisted in the overthrow of the court of Kaskaskia, were able to escape the anarchy which their presence had produced only by submitting to the Frenchmen of the northern village.

As may be seen in the following pages, the court at Cahokia continued to maintain order in its district until other and more legal regulations were made. During the last years the court was constantly expecting the arrival of the governor, who had been appointed in 1788 under the law creating the Territory Northwest of the Ohio River; but Governor St. Clair was unable to reach the Illinois until two years after his appointment. Finally after long delay, on March 5, 1790, he actually arrived in Kaskaskia. This was the limit of time John Edgar had fixed to which he would wait for the inauguration of a government at that village. The Cahokia court held its usual meeting in the same month, and again on the first of April the court heard suits brought before it and adjourned to the first of May. Here the record of the sessions of the Court of the District of Cahokia of the county of Illinois ends, for on the 27th of April the county of St. Clair was instituted and two days later the appointment of the judges of the new courts was announced.

The history of these new courts is of a later date than the limit of the present Introduction, but the next period in the history of Illinois is a continuation of that which we have already

[1] See *post*, p. 307

reviewed. The French were not able to struggle against the Americans, who were now placed in the ruling positions, and a new exodus of the population began. To follow the destinies of the more energetic families named in these pages, it is necessary to cross the river. The descendants of J. Bte. Barbau, of the Bauvais, the Sauciers and the Trottiers are to be sought not in the territory or state of Illinois, but in that territory which for a few years remained under the dominion of Spain, where the French took refuge. The census of several old French towns of the western banks of the Mississippi reveals the presence of many families once inhabiting the American Bottom. The French have not figured prominently in the later history of Illinois, but the continuation of their civilization is found in the sister state of Missouri, where they still form an important element in the population; or else in the far West, where many descendants of the sons of Kaskaskia and Cahokia fled before the advance of the American settlers and followed the life for which they had been trained, that of trader, pioneer, and trapper.

In the foregoing history of the "County of Illinois" I have based the narrative upon the source material that has been preserved from that time, some account of which should be given, since several of the collections studied have been unknown to previous historians of the period and none have been used so extensively before.

1. Kaskaskia Records:[1] These were found by myself in the office of the circuit clerk of Randolph county at Chester, Illinois, in the late summer of 1905. They consist of 2804 eighteenth century documents of all sizes, ranging from the scrap of paper to a volume of 444 pages, and of all kinds of legal instruments, ordinances, and letters. The number issuing from the county of Illinois is 506. I have classified them according to character, i. e., certificates, land grants, political papers, etc. They are cited as follows:

[1] Alvord, "Eighteenth Century French Records in the Archives of Illinois," *Annual Report* of Amer. Hist. Assn. for 1905.

Kas. Rec., Pol. Papers, etc. This collection belongs to the county of St. Clair and is kept in the fireproof office of the circuit clerk. Temporarily it is loaned to the library of the University of Illinois for my use. One document, which I failed to see at the time of the discovery, is still in Chester. Since it is of great value and no report has yet been made upon it, I give a description of it here. It is a court record of 256 pages. Pages 1-57 contain the records of the sessions of the court of judicature founded by Colonel Wilkins in 1768 and of the judgments of the military commandants, acting as judges after the abolition of the court, up to January 30, 1773. Pages 57-90 were used to record deeds, etc., from May 9, 1776, to June 23, 1778. The rest of the book contains the registrations for the next two years, made by the clerks after the occupation of the country by Clark. Several of the pages are missing.

2. Cahokia Records:[1] These belong to the county of St. Clair, Illinois, and are kept in a fireproof museum in the court-house at Belleville. The most important of these documents are printed in this volume and need no further description. Besides those printed, there are a number of marriage contracts and other instruments in Belleville; and 170 documents, which were formerly in the county treasurer's office, are now in the library of the Chicago Historical Society.[2] The proper citation is *Cak. Rec.* in Chicago or in Belleville, Ill.

3. Menard Collection: This consists of the correspondence and letter-books of Pierre Menard, who settled in Kaskaskia in 1790. The majority of the letters date from the latter part of Menard's life; but in the collection are four large bundles of letters and documents which belonged to Barthélemi Tardiveau, agent of the Illinois people in 1787 and 1788. Two of these bundles are composed of copies of records from the Kaskaskia record-book and some original manuscripts, which he used for his information in drawing up his petitions to Congress. There are in all sixty-one selected documents emanating generally from the French

[1] *Ibid*; *Bulletin* of the Ill. State Hist. lib., vol. i, No. 1.

[2] I have learned too late to make the necessary changes in the foot-notes that the Chicago Historical Society has returned these documents to Belleville.

inhabitants, which makes this collection one of the most valuable for the history of the county of Illinois. The majority of these document were copied by the clerk of the court in the spring of 1781, at the time the people of Kaskaskia commissioned Prevost and McCarty to represent them at the capitol of Virginia.[1] They are all properly authenticated by Richard Winston, deputy county lieutenant.

4. Draper Manuscripts:[2] These are so well known that a description of them is unnecessary. They were collected by Lyman C. Draper during his long and useful life, which he devoted to the collection of material for the study of western history, and they form the most valuable part of the Wisconsin Historical Society's collection of manuscripts. For my purposes the George Rogers Clark Manuscripts, contained in sixty-five volumes, have been of the most use. They are cited as *Dr. MSS.* 52J50, the first number being the volume, the second the page and the letter (J) the library symbol for the Clark MSS. I went through these volumes and had copies made of all the manuscripts which would be of value to me. Most of the copies were from original documents, but, since on the copies it was not indicated whether they were from original manuscripts or copies, I have not dared trust to my memory to indicate this distinction in the footnotes. I have made some use of other collections in the Draper Manuscripts, particularly the Harmar MSS. These are copies made by Mr. Draper.

5. Haldimand Collection: Frederick Haldimand was appointed governor of Canada in September, 1777, and held this position until 1784. During this time his correspondence was large and this he carefully preserved. It is now in the British Museum and the Public Record Office in London. The collection contains the letters, reports made to him, and copies of important papers which were enclosed in these. The Canadian Archives has had transcripts of this collection made and has calendared it in its *Reports*. The copies I have used were made

[1] See *supra* pp. ciii., n. 3, cxxxviii.

[2] Thwaites, *Descriptive List of MSS. Collections.*

from the Canadian transcripts. These are cited as *Can. Archives*, B., etc. Many of these have been printed in the *Michigan Pioneer and Historical Collections* and the *Illinois Historical Collections*, Vol. I.

6. Papers of Old Congress:[1] Many petitions with enclosures were sent by the people of Illinois to Congress. These have recently been transferred to the library of Congress.

7. Collection of Virginia State Library: There is a quantity of unused manuscripts in Richmond, to which I have had partial access; but, since they have not been catalogued, there are many important documents which I have not seen.

8. Miscellanies: I have used letters and documents in the possession of other institutions and several private individuals, to which references are made in the proper places.

It is to be regretted that I have not seen several important collections, which might have thrown light on the subject. They are the following: Private library of C. M. Burton of Detroit, Michigan; collection of documents from Vincennes in Vincennes University and Indianapolis Public Library; private library of Colonel R. T. Durrett of Louisville, Kentucky; and the Bancroft Library of the University of California.

The printed sources for the history of the county of Illinois are numerous, and an effort has been made to see everything. Those used will be found listed in the bibliography at the end of this volume.

[1] A practically complete inventory of these papers is printed in "Bulletin of the Bureau of Rolls and Library," No. 1.

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